

The Honorable Tana Lin

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STATE OF WASHINGTON, et al.,

*Plaintiffs,*

and

SIERRA CLUB, NATURAL RESOURCES  
DEFENSE COUNCIL, CLIMATE  
SOLUTIONS, SOUTHERN ALLIANCE  
FOR CLEAN ENERGY, CLEANAIRE NC,  
WEST END REVITALIZATION  
ASSOCIATION, PLUG IN AMERICA

*Plaintiff-Intervenor-Movants,*

v.

U.S DEPARTMENT OF  
TRANSPORTATION, et al.,

*Defendants.*

) Case No. 2:25-CV-00848

)  
)  
)  
) DECLARATIONS OF SIERRA CLUB,  
) NATURAL RESOURCES DEFENSE  
) COUNCIL, CLIMATE SOLUTIONS,  
) SOUTHERN ALLIANCE FOR CLEAN  
) ENERGY, CLEANAIRE NC, WEST END  
) REVITALIZATION ASSOCIATION, AND  
) PLUG IN AMERICA  
)

DECLARATIONS OF PUBLIC  
INTEREST ORGANIZATIONS  
-- NO. 2:25-CV-00848

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## **Declaration of Steve Banashek (Sierra Club)**

**DECLARATION OF STEVE BANASHEK**

I, Steve Banashek, declare as follows:

My name is Steve Banashek. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Alexandria, VA 22301. I have lived here for over 35 years.
2. I am mostly retired. I worked in software support.
3. I joined the Sierra Club around 2018. I ran into somebody who was already a Virginia Chapter member in the process of advocating for electric buses in Alexandria. She invited me to a Ready for 100 campaign meeting and it went from there.
4. I am on the Executive Committee for the Potomac River Group of the Virginia Chapter of the Sierra Club. I've been the Electric Vehicle Issue Chair of the Virginia Chapter for about five years now.
5. I do everything from helping to organize electric vehicle (EV) events, like Drive Electric Week or Drive Electric Earth Month, to legislative advocacy. We helped get bills passed for EV charging parking signage, for an electric school bus rebate program, and for a point of sale rebate program for EVs. The last couple years, we've advocated for a rural EV charging program that would give grants to private developers to install public EV chargers. It passed this year but the Governor vetoed it.



6. Locally, we've encouraged municipalities to go electric with their transit bus, school bus, and municipal fleets. Thanks in part to our advocacy, Alexandria is pretty far ahead in terms of electrifying its fleets. I also helped volunteers in Arlington County get their transit system to pilot electric buses.
7. I'm involved with the Electric Vehicle Association of Greater Washington DC (EVADC) which is the local EVA chapter in the DC metropolitan area and participate in their events.
8. I own a 2021 Ford Mustang Mach-E which I bought in the spring of 2021. Ironically I suppose, the environmental benefits were secondary for me. I think EVs are a much better driving experience: instant torque, one pedal driving, quiet.
9. The Mach-E is my primary car. We have a second car which is a 2024 Hyundai Kona, also an EV. We're a no-gas household. Both cars use CCS ports, although I have a Tesla adapter for the Mach-E and have occasionally charged on Tesla Superchargers.
10. We use the EVs for highway travel all the time. My mom lives in Gaithersburg, so we'll take it up there. We've taken a trip to Atlanta, multiple trips to northern NJ and southeast NC. Last summer we took a 3,000 mile road trip in our EV of which the vast majority was on interstates designated by the Federal Highway Administration (FHWA) as Alternative Fuel Corridors (AFCs). We went north through Maryland into Pennsylvania, over to Cleveland, over to the Indiana Dunes, down into central Indiana to see the solar eclipse, then headed west and went into southeastern Iowa. We took a more southern route through St. Louis, over to Knoxville, and then up I-81 on the way back.
11. At times on the eclipse trip we encountered charging deserts where it was difficult to find chargers and required more advanced planning and route/stop changes from what we



preferred. There are also areas closer to home in Virginia and North Carolina where charging can be problematic such as the stretch of I-85 between Petersburg, VA and Henderson, NC which we drove through on the way to Atlanta. That stretch is 90 miles and there are no EV chargers which meant an extra stop to charge before Petersburg so that we could make it to Henderson. Had there been EV chargers on that segment, we would have charged up there and skipped Henderson. That stretch of interstate is on the AFC list and a proposed NEVI award was approved by Virginia. That location is near the midpoint between Petersburg and Henderson.

12. We have also had charging issues around reliability, reduced speed of a charger, and wait times at some locations along highways. For example we sometimes plugged into a charger or pulled into a charging stall and it was not working. Sometimes the charger works but charges at a reduced speed. Sometimes this is due to all the chargers being used while other times there is no apparent cause. There have been instances where we have switched chargers to get a faster charging speed. Over four plus years of EV driving the frequency of busy chargers and waiting has gone up. NEVI funding would certainly help by adding more charging locations on the AFC corridors.
13. This year, we're planning a 6,000 mile trip up into Montana, Idaho, Wyoming and the Dakotas. The EV charging infrastructure in those states is much less built out and is making the trip more difficult to plan. This may also dictate skipping some places we might otherwise visit had there been access to EV charging.
14. I see two issues with the current state of charging infrastructure in the country. One is the location of stations and two is the number of chargers. I think the primary focus has got to be eliminating the charging deserts but even with locations that exist already, there needs

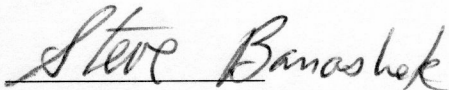


to be more chargers. Even the places you go to that have eight or ten chargers can be busy later in the day where almost every one of the chargers is in use and most charging locations do not have that many chargers.

15. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build electric vehicle charging infrastructure along key highways.
16. I am aware that the FHWA paused the NEVI program in February, freezing billions of dollars in funding for highway EV infrastructure.
17. If NEVI funding were unfrozen and more charging infrastructure was built in Virginia and other states, we wouldn't have to deal with the charging deserts that make planning a trip more difficult and sometimes force us to skip places where we'd otherwise visit. As I noted above this has an impact on trips which we've taken and trips we are planning.
18. I understand that the Sierra Club is bringing a suit to unfreeze NEVI funds and as an EV owner who would benefit from more highway EV chargers buildout, I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on MAY 8, 2025.



Steve Banashek

## **Declaration of Glen Besa (Sierra Club)**



**DECLARATION OF GLEN BESA**

I, Glen Besa, declare as follows:

My name is Glen Besa. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in North Chesterfield, VA 23234. I have lived here for over 20 years.
2. I have been a member of the Sierra Club since 1988. I joined the Sierra Club because there was an attempt to log some of the forests that I enjoyed in western Maryland. I joined, was promptly named the Forest Committee Chair, and we stopped the timber sale. That was as a volunteer.
3. I then worked for many years as Director of the Sierra Club's Virginia Chapter, where I opposed the construction of the Virginia City Hybrid Energy Center coal plant in Wise County and other coal plants, because of climate and air quality impacts.
4. I no longer work for the Sierra Club but I am very active with my local Sierra Club group, the Falls of the James Group, as a volunteer. I serve on the Fall of the James Executive Committee and I'm also the Political Chair which means I'm on the Political Committee for the Virginia Chapter. I'm also on the Virginia Chapter Energy Committee.
5. I'm now spending a good bit of my time trying to stop a gas-fired power plant by Dominion Energy, the Chesterfield Energy Reliability Center, because of the effects it

would have on air quality and the climate. We've created a group called the Friends of Chesterfield which is devoted to fighting the project, and I'm the Board Chair.

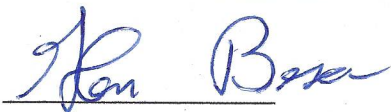
6. I also serve as Executive Vice President and Chief Operating Officer of The Brunckhorst Foundations, two private family foundations, and worked for the American Lung Association in the past, lobbying on clean air issues.
7. I have had three EVs (electric vehicles) over the past eight years. I purchased a plug-in Nissan Leaf in 2017 and I had it for three years, then I leased a Chevrolet Bolt, which I had until November 2024 when I traded it in for a 2025 Chevrolet Equinox. The Equinox gets 315 miles of range. It uses a CCS port for fast charging and I also have a Tesla/NACS adapter.
8. I drive an EV because I've been involved in air pollution issues for a long, long time, professionally and personally. I know that battery powered cars are a way to reduce one's personal carbon footprint and also to clean up the air. I was a fairly early adopter in 2017. I bought the EVs because I care about the climate and because I care about air pollution.
9. I was also diagnosed with asthma as a child. I take daily medication and visit a pulmonologist every 6 months. When air pollution is particularly bad in the summer, my asthma is exacerbated. I know that emissions from gas-powered vehicles can make air pollution worse and that is part of why I drive an EV. I don't want to pollute my own air.
10. The Equinox is my primary car but my wife owns a Honda Civic hybrid and we also own a gas-powered Nissan NV200 van, which we rarely use.
11. I am part of a group called Drive Electric RVA which is a local EV-enthusiast group. I'm also a member of the national Electric Vehicle Association.

12. Because it is challenging to find high-speed chargers when travelling, I have about 10 different charging apps on my phone, including Electrify America, EVgo, Shell Recharge, and ChargePoint.
13. I use my EV on the highway regularly, around three times a week. I use I-64, I-81, and I-95 regularly, designated by the Federal Highway Administration (FHWA) as Alternative Fuel Corridors (AFCs).
14. When my wife and I first bought the Equinox, we drove down to Texas and back, to visit family and Sierra Club friends. I had to do a lot of research and route-planning beforehand, to make sure I had a primary charging plan and then a backup plan, sometimes even a couple backups.
15. At times, you can find yourself really in trouble if you stop at a charger and it's not working. Just a couple months ago, I was at an EVgo charger in Hampton, Virginia, and two of the four chargers were broken and both the other two were being used. I ended up having to wait for a while.
16. At times, I have not been able to take my EV on trips because of the lack of charging infrastructure. A couple years ago, I planned a trip to Niagara Falls. My wife had never been there. We had to take the gas-powered van because there were not an adequate number of high-speed chargers on the interstates running through Pennsylvania to get us to upstate New York and Canada.
17. I regularly travel down to southwestern Virginia on I-81 to visit friends or go camping. I also take I-85 and I-40 to visit my brother-in-law who lives in Hendersonville, North Carolina. I have to plan very carefully and find it challenging to make those trips.

18. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states like Virginia to build fast charging stations along major highway corridors.
19. I am aware that the FHWA paused the program in February.
20. If the NEVI program was unpaused and more charging stations were built along I-64, I-81, I-95, and other major highways in Virginia and neighboring states, it would be more convenient for me to use my EV for road trips to other parts of Virginia, North Carolina, and Texas, among others. My wife and I have also discussed vacationing in Canada and NEVI stations along the interstates in Pennsylvania would make taking my EV possible unlike on our trip to Niagara Falls a couple years ago.
21. I am aware that the Sierra Club is bringing a suit to unpause the NEVI program. As an EV owner who regularly travels on interstates designated as AFCs, I would benefit from more highway charging and thus support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on MAY 7, 2025.



Glen Besa



## **Declaration of Ramesh Bhatt (Sierra Club)**

**DECLARATION OF RAMESH BHATT**

I, Ramesh Bhatt, declare as follows:

My name is Ramesh Bhatt. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. My primary residence is in Boulder, CO 80305, where I have lived with my wife since 2018.
2. I am a retired psychology professor.
3. I have been a member of the Sierra Club since 1987. I am a Lifetime Member.
4. I currently serve as the volunteer Conservation Chair of the Sierra Club's Colorado Chapter, and I am on the Chapter's Steering, Legislative, and Conservation Committees. In these roles, I help direct the Colorado Chapter's conservation, legislative, regulatory, and legal work, where I help to oversee conservation work done by the Colorado Chapter, transportation work, utility regulation, and work on oil and gas and climate change. I participate in frequent meetings with Sierra Club staff and other volunteers, often multiple times per week. I also frequently engage in policy advocacy on behalf of the Sierra Club, including testifying before the Colorado legislature and sending letters and public comments to state and local policy officials. Over the years, I have held several other leadership roles with the Sierra Club.

5. The reason I work so closely with the Sierra Club is because I enjoy nature and want to protect it. I live in Boulder, CO, a part of the Denver metropolitan area, which has been rated at severe non-attainment levels for ozone (smog). For these reasons, and because I am concerned about climate change, we purchased an EV to use as our primary car in 2021. I believe one of the best things I can do to help combat climate change and improve air quality in our region is to drive an electric vehicle.
6. Our electric vehicle, a 2021 Nissan Leaf, is our primary car and we drive it locally. It has a range of about 200 miles. We charge it at home and if possible, at publicly accessible ChargePoint stations.
7. While the Leaf is our primary car, I mostly use it for short trips, even though I would like to use it for extensive road travel on highways, such as Highways 36 and 119. Because I am anxious about a lack of available chargers along some of the longer routes I would like to take, I limit driving in the EV to local use.
8. Another reason I am nervous about longer travel in our EV is because the chargers that are publicly available sometimes don't work reliably. The lack of availability of reliable charging infrastructure on highways definitely affects, and lessens, the amount of travel I do on highways in my EV.
9. My wife and I go to Rocky Mountain National Park fairly frequently, where we enjoy hiking and other recreational activities. There have been a number of instances in which we have hesitated to take our electric vehicle up there due to concerns about charging availability and reliability, or even getting stuck. This has also been the case when we have planned to travel to other places around the state of Colorado, where we are not confident about our ability to charge the car and therefore will not be able to drive it

there. On longer trips, we use our Toyota Prius hybrid car that uses gas when we would instead prefer to rely on our electric vehicle.

10. If there were a network of reliable fast charging stations along highways in our area that we could use dependably, we would get rid of our Toyota Prius hybrid car and switch it out for a second, all-electric vehicle.
11. My wife has family in the Midwest and we would drive there on longer road trips across Nebraska, Iowa, Illinois, Indiana, Michigan, Ohio, Missouri, and Kansas with the electric vehicle if we could, but have to use the hybrid car for this type of long-distance highway travel. This has also been the case when we have taken trips by car to neighboring states such as New Mexico, Arizona, Utah, California, and Texas, where we are unable to travel in our electric vehicle due to a lack of confidence in charging infrastructure away from home.
12. We are inconvenienced by the lack of charging infrastructure along our highways, and it definitely affects our decision-making in transportation and deciding not to use our EV for certain trips and purposes.
13. I want more highway EV charging and more accessibility to it. It is a shame to cease building out better charging infrastructure when much of the technology is already here and yet not available to those who would otherwise use or rely on it. I understand that what the NEVI program was offering to EV drivers like myself meant more and better, more reliable charging stations built all across the country along highways that I use. As an EV user, and as someone who thinks more people should make the switch to EVs, I find the freeze especially harmful because it will mean that it will continue to be a challenge to reliably charge my EV on highway trips and limit my ability to drive it.



14. The NEVI program and its funds would dramatically change our transportation and our car usage. We would be more confident in taking out our EV for longer distances; we would also switch our gasoline-hybrid car to an all-electric vehicle if we were more confident about being able to change. I am concerned that we will not be able to switch to fully using EVs and that the freeze of the NEVI program would prevent us from doing that. We will continue to use our current EV but expect to be more nervous about finding places to charge since the infrastructure buildout has been stalled.
15. I support the Sierra Club's efforts in bringing a suit to unfreeze the NEVI program funds and release billions of dollars of funding for EV charging infrastructure buildout along our highways in Colorado and other states.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on April 22, 2025.

X



Ramesh Bhatt

Signed by: Ramesh Bhatt

## **Declaration of Seth Binder (NRDC, Sierra Club)**

**DECLARATION OF SETH BINDER**

I, Seth Binder, declare as follows:

My name is Seth Binder. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. My primary residence is in Minneapolis, Minnesota 55409. I have lived here with my wife and our children since 2020.
2. I am an associate professor of environmental studies and economics at St. Olaf College.
3. I first became a Sierra Club member in college. I am also a former NRDC member. I joined because I care about the environment and protecting clean air and water. My wife and I actually met while working for the Public Interest Research Group in 1999, while we were door knocking about Corporate Average Fuel Economy standards, the regulations that establish fuel efficiency requirements for motor vehicles. We care about clean energy and reducing our own emissions, so we also subscribe to a "solar garden" through our local energy utility, which has had the added benefit of having less volatility in our electric bills, even when charging our electric vehicle (EV) at home.
4. We drive a 2018 Nissan Leaf, which is our primary car, and have had it for about seven years. We purchased an EV because we wanted to start the transition to electrifying more of everything we use. We chose the Leaf specifically because it was reasonably priced and we were eager to be early adopters of electric vehicles. It has a range of about 150 miles per charge and uses a CHAdeMO charger. We typically charge at home or

sometimes I charge it at work, where they installed chargers on the college campus. I would like to buy a NACS or CCS converter eventually. We also have a gas car, our 2012 Subaru.

5. During the academic year, I commute as much as four times a week along I-35 to get from Minneapolis to Northfield, but sometimes I carpool with another EV user instead, and ride along in their EV. I drive most frequently on highways I-35, I-94, I-394, and MN 100.
6. We have had some issues on trips while trying to find the right charger. In the past we have used the ChargePoint and EVgo charging networks, which typically require us to get off the highway and drive into random suburban areas, Nissan dealerships, public libraries, or shopping centers to find parking lots with EV charging available. It always takes quite a bit of planning and stopping and waiting while I charge. Often the chargers won't work. This is the most common issue for us; many of the smartphone EV charging apps are better now and you can get more accurate updates of whether chargers are working or not at a particular station. But when you are actually charging your vehicle, you have to continuously monitor the charger to make sure it is even working, and that it's charging at the proper rate. When a charger isn't working and you try to let someone know who works on the property, for example, they have nothing to do with the charger and you have to contact the charging company to try and get help, or just leave and try to find another charging station.
7. I have had a lot of problems with reliability and availability of high-speed public chargers. Once, I had not realized our home charger wasn't working properly overnight, so I had to try and find a working charger in St. Paul. The battery ran out at a set of

chargers that weren't working. I had to get the car towed from that charger to a set of properly working chargers.

8. In the wintertime, we can't use the Leaf as regularly due to reduced battery range in the cold Minnesota weather. If there were more fast chargers, however, even in the wintertime I would be able to use and commute with the Leaf regularly. The 150-mile range applies only in perfect conditions. In winter, the range can go as low as 90-100 miles and also tends to run down more quickly because so much energy is dedicated to heating the car. Also the main parking lot on campus has only a single pair of chargers, so it is risky and inconvenient to rely on.
9. The lack of infrastructure has prevented me from taking my EV up to Central and Northern Minnesota, which is definitely a barrier. We have wanted to take trips up to Duluth, MN but the lack of infrastructure made us rethink our plans of trying to take the EV up there.
10. Every summer we take a trip up to Cass Lake in the Subaru, but we'd prefer to take the Leaf if it were possible. We also typically go camping once a summer in the Driftless region, and we take the Subaru to be safe though we would prefer to take the Leaf. We can't take recreational trips in our EV past a certain distance unless we are absolutely sure we would have a way to charge and backup options in the area. We have two young children so we do not take risks with charging and running out of battery. Our ten-year old is frequently anxious we will run out of battery, due to a past incident where we had to get towed when we could not find a working charger in time.
11. I am aware that the NEVI program would help ensure fast charging stations are located every 50 miles along major highways, including those that I do or would like to drive my

EV along in Minnesota and other states. That would be absolutely game changing, meaning I would feel a lot more confident driving the Leaf longer distances, making it the primary vehicle for all travel, and affect our plans for a second vehicle when we switch out our old ICE car. I understand that NEVI charging stations must be located within one mile of highway corridors, and must meet minimum power level ratings and reliability standards that help ensure stations will charge quickly and are up and running.

12. If the NEVI funding were to be reinstated and a robust and reliable charging network were to continue to be built out across U.S. highways, we would be able to take our EV almost anywhere we would want to drive to, including any long-distance trips beyond my regular 45-minute, 40-mile commute; my wife could take the EV on her once-a-year commute to work in Iowa, instead of carpooling as she does now; to Wisconsin and other neighboring states, and to Northern Minnesota for trips with my family in the summer. We are often forced to rely on our internal combustion engine car, which is older, and frankly much less comfortable and pleasant to drive. It is also more expensive to drive because of the price of gas. My main consideration for driving the EV is reducing my emissions, but fuel aside, I would still always prefer to drive the Leaf.

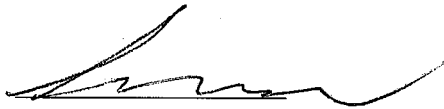
13. The 2012 Subaru may not last much longer, and we are trying to think through whether we would be able to fully electrify and get another EV to replace it. But now, there is tremendous uncertainty, and if there is no infrastructure, we will probably have to choose a plug-in hybrid that still burns gas instead of being able to make the switch to only driving EVs. This is unfortunate, because even the savings in maintenance costs has been tremendous. You don't realize until you switch to an EV that a gas car, which is a machine that is constantly exploding inside, is quickly destroying its own materials,

whereas an EV has been significantly less costly to maintain over the last seven years. If the infrastructure were built out along highways accessibly, we would go full electric as soon as possible. For both moral and practical reasons, I don't want to be the one still driving a gas car when it's time for gas to be gone.

14. I am aware that the Trump administration suspended States' access to billions of dollars in funding for the NEVI program as of February 2025, and that Sierra Club is bringing a suit to unfreeze those NEVI program funds. I support Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 12, 2025.

A handwritten signature in black ink, appearing to read 'Seth Binder', with a stylized, flowing script.

Seth Binder

## **Declaration of Phyllis Blumberg (NRDC, Sierra Club)**



**DECLARATION OF PHYLLIS BLUMBERG**

I, Phyllis Blumberg, declare as follows:

My name is Phyllis Blumberg. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Wynnewood, Pennsylvania. I have lived at my current residence for two and a half years.
2. I was an academic and worked in higher education. Now I am retired and work full-time as a volunteer for environmental causes through advocacy.
3. I live in an area with high levels of pollution due to all the industries here. I live in a metropolitan area so there's smog from cars, diesel trucks and industrial facilities. I check websites to make sure the air quality is good. It's obvious when it's not good, when I look out my window and I can't see as far as I normally would see because it's all smoggy.
4. I have been a member of the Sierra Club since the 1970s. I originally joined to be able to go on outings. I have taken volunteer service trips with them. The past 20 years is when I became active with environmental actions. I am involved with Sierra Club national with their Truth campaign, where every week I elevate two environmental topics on social media. I have also tabled and lobbied for federal actions at the national level. I participate in the state chapter by attending the Pennsylvania climate action chapter meeting every month. Last year I also fought against the transportation of liquefied natural gas (LNG) on railways and LNG on rails ended up being banned, an important victory.

5. I have been a member of the Natural Resources Defense Council for five years.
6. In 2019 I purchased my Nissan Leaf. I purchased a full battery-electric vehicle because it is the only logical choice. I don't want to pollute the air when I can be driving a clean car. Overall, this is an extremely reliable car. However, charging it is a huge issue for me. It has a 200 mile range fully charged. My car has a CHAdeMO fast charging connector, which is unfortunately becoming the non-favored one. I belong to Charge Point. Issues I have encountered with the CHAdeMO when trying to use public chargers is that I have noticed there are not as many CHAdeMOs as there used to be because now CCS and NACS are more widely used. I recently learned that there is a CCS-to-CHAdeMO converter for Nissan Leafs and I intend to buy one.
7. A lot of charging stations are not in service. I always check the Plug Share website and double check and call the company that maintains the charger I will use before a trip to make sure that their chargers are in service. I fear I will be driving on a highway and come to a station that I have to charge at and the station is going to be out of service. I have to plan out my routes in advance because I want to know where I'm going to be charging. I wish there were more reliable fast charging stations. Sometimes the app can be finicky and the communication between the phone and the charger is difficult. It's not easy to predict when a charger is coming up on a highway. They should be included on highway signs and publicly advertise that there is going to be an EV charging station in "X miles." This would alleviate the stress of pre-planning out a trip on which routes to take because a fast charging station is located there. I wish there was a charger at every food and fuel stop along highways every 50 miles because that would likely lead me to take more long-distance trips in my EV on highways. I am conservative with my battery

life because I worry I might get stranded. I tend to stop at a charging station when I am at 100-mile range. I recharge because I never want to have anxiety of “Oh no! I can’t go any further.”

8. Frequently I have been inconvenienced when the charger I want to charge at isn’t available because it’s broken. I can be inconvenienced when I go to a charging station and there are only two chargers and they’re both in use. Sometimes I pull up to what I think is going to be a CHAdeMO compatible charger and it isn’t, I’m inconvenienced. I haven’t felt fear of stranding because I am overly conservative with my battery life. However, this still adds anxiety when taking long trips when I don’t know for a fact that I can find reliable fast charging stations that work with my EV. I mostly only see Tesla charging stations everywhere, I’d like to see more CHAdeMO and CCS stations. More Level 3 chargers along highways are important.
9. It’s impossible for me to charge at my residence because I live in a multistory apartment building where the parking is not beside my apartment and rent. All of my charging is done at commercial charging stations. I often end up going to a neighboring town and charging at a Level 2 charging station. I leave my car then walk home. Five hours later I’ll walk back a mile to pick up my car and drive home. I had an instance where I left the car to be charged and when I came back 5 hours later the car had not charged; the station was not working. So then I had to pull into the plug next to me and start the 5 hour charge again. I have also had issues with charging stations going a lot slower than they were supposed to as well as issues with the cable connectors being broken. I found an alternative where I charge at an apartment building 0.75 miles away from me. I have to call in advance to find out if the charging station is in working condition, but

unfortunately they tend to be out of service. I have encountered the same situation at Whole Foods parking lots where the broken chargers don't get fixed and remain broken.

10. I believe a federal funding program and a federal mandate to put in chargers along highways is really essential. As an EV driver I want to not only be able to drive in my state but take long distance travel through other states as well. I regularly drive up to Boston to see my family, where I drive through Connecticut, New Jersey, New York, and Massachusetts. I frequently drive on I-76 or I-476. I would also like to travel west or south of where I live but I know I will come across many charging deserts. The fact that so few chargers reliably work and the money is not coming through to develop more fast charging reliable infrastructure is very disappointing.
11. The lack of availability of reliable chargers on highways greatly affects how often I would travel on highways in my EV. I won't go to a place if I can't charge. It has compromised my ability to go to certain places that I would like to go. I take day trips that are 150 miles but I have to be home at night in order to charge where I know I can so the lack of reliable charging stations has compromised where I'd like to go. I have wanted to go to the Poconos, which is 100 miles away. It doesn't have reliable charging. The absence of reliable charging is causing me not to take my EV. If there was a network of reliable fast charging stations along major highways in my area I would absolutely take longer trips and more trips frequently in my EV. I have looked up on the website what a trip to Ohio or Tennessee would look like and there just doesn't seem to be enough to know reliably that I can charge. Just another example of "No, I'm not traveling, because I don't think I can".
12. This summer I'd like to take more trips in my EV. I have friends in the western part of

Pennsylvania, which I would like to visit. I have friends in Washington, D.C. which I'd like to visit. Sierra Club has a camping trip in June, 176 miles from my home. I would like to go and it sounds like fun to meet people and to camp with them. But unless I would be able to charge I would not be able to go on this outing there and back. When I looked up if there would be fast chargers along the route for this camping trip I found none close by. I would have to go 20 miles out of my way each way just to get to a charger. This would add another half an hour each way to my time on top of the charging that would take an hour. I worry about taking drives in my EV in nature, which is where I really want to go. I often go up to the Appalachian Mountain Club Lodge in New York, which is 140 miles one way, and in order for me to go there and back I need to find reliable and frequent charging stations. Even driving to the Appalachian Mountain Club Lodge I have to get off the highway and drive four miles to find a charging station.

13. If the NEVI program were to have their funds unfrozen I would travel more and take more trips with more fast reliable charging infrastructure. Since I am retired, I have the time and energy to take these trips. With this freeze it affects my ability to freely travel without anxiety. It's also another thing I have to keep fighting for after I thought we won this program. I am frustrated that this previously approved program is held in limbo.

14. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for Pennsylvania and other states to build EV charging stations along major highway corridors, making long distance EV travel more convenient. I am also aware that the Trump administration paused the NEVI program in February.

15. If funding for the NEVI program was unfrozen and there were charging stations along major highway corridors in Pennsylvania, I would feel less anxiety and more secure in taking long trips on the highway in my EV.

16. I understand that the Sierra Club is bringing a suit to unfreeze the NEVI program and release billions of dollars in funding for electric vehicle charging infrastructure along major highways. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 8, 2025.

Phyllis Blumberg

Phyllis Blumberg

## **Declaration of Thomas Caffery (SACE)**

### DECLARATION OF THOMAS CAFFERY

I, Thomas Caffery, under penalty of perjury, declare as follows:

1. My name is Thomas (“Tom”) Caffery. This declaration is based on my personal knowledge, information, and belief. I am over the age of eighteen (18) and suffer no legal incapacity. I make this declaration on behalf of the Southern Alliance for Clean Energy as a member of the organization.

2. I live in Orlando, Florida now, but I still consider Lafayette, Louisiana—right in the heart of Cajun country—home. I grew up there when Lafayette was booming as a hub for the petrochemical industry, and like a lot of kids, I spent my summers working outside—on survey crews laying pipeline routes through rural southeast Louisiana. Friends of mine worked on oil platforms out in the Gulf, and there were plenty of tall tales. That oil economy shaped the entire state—when times were good, they were very good, and when times weren’t, like after the OPEC oil embargo in the ‘70s or the price drops in the late ‘80s, it got rough.

3. I studied civil engineering at Louisiana State University, graduating in 1974, right at the height of the OPEC oil shortage, when there was a lot of talk that the country was going to run out of petroleum. After school, I signed on with Federal Highway Administration and worked in Pennsylvania (in Philadelphia and Pittsburgh) as a regional planning and research engineer. The Federal Highway Administration was a great agency back then, doing good work. I stayed with them for five years, first doing a lot of training in highway design and construction, and then moving into planning.

4. When I left the Federal Highway Administration, I started working for consulting engineering companies as a highway engineer for state departments of transportation, first in Louisiana, then, when work slowed down, I found a position with a national engineering firm in



Florida. I worked in Orlando, starting with a big transportation project at the Orlando airport—access roads into and out of the main terminal—and then on countless highway projects, large and small. I worked on many of the toll roads for the Central Florida Expressway Authority and the Florida Turnpike, as well as some projects for Orange County and Florida Department of Transportation.

5. I always liked the service component of civil engineering—building infrastructure that serves the public good, whether roads or stormwater systems. I even studied transit as a graduate student at the University of Texas Austin, but there just wasn't much demand for transit engineers back then; highways were where the work was, so that's the path I took.

6. Looking back now through my retirement volunteer work with an advocacy organization called Third Act, I feel conflicted about my career. On the one hand, the work I did on highways met real needs. On the other hand, I may have helped promote sprawl and made it easier for people to drive longer distances, exacerbating air pollution and climate change. I like to think I was serving the community, but I can't ignore the bigger impacts.

7. That's part of why I pivoted toward environmental advocacy in retirement. I've been an early adopter of clean technologies—I got solar panels in 2011, and I've always been interested in electric vehicles. It's part of how I'm trying to make up for 40 years of building highways.

8. Charging an electric vehicle is also very economical—much cheaper than filling up with gas—and with the solar panels, it's even better. Maintenance is less expensive too. I like to tell people I only need to change the wiper blades and tires occasionally. I grew up in a frugal family and now am on a fixed income—saving a buck still matters to me.

9. I started with a Nissan Leaf back in 2013, when the range was only 60 miles and you had to really plan your trips. Today I drive a 2020 Leaf with 160 miles of range, which is a lot more practical, though for hurricane evacuation and longer trips we bought a Toyota RAV4 hybrid, despite my preference to drive electric. I drive our electric vehicle as much as I can, but range anxiety is real, even when you live in a bigger city like Orlando.

10. In our day-to-day life, I mostly charge at home. But even around town, we've had a few close calls. One Christmas Eve, after dinner in Celebration, we ran the old Leaf's battery a little too low and couldn't find a working charger late at night. We made it just one mile short and had to get towed home. That experience made my wife nervous ever since.

11. Before COVID, we had plans to take the Great American Road Trip—load up the dog in the back of the car and drive across the country visiting national parks. We would drive a big loop through Alabama, Mississippi, Louisiana, Texas, Oklahoma, New Mexico, Colorado, Utah, Arizona, Nevada, California, Oregon, Idaho, Wyoming, Montana, South Dakota, Nebraska, Iowa, Kansas, Missouri, Tennessee, Georgia, and back to Florida. It's still something we hope to do one day.

12. We also make regular trips back to Lafayette, Louisiana, driving through Alabama, for the annual Cajun festival in October and international French-language festival in April.

13. I've always preferred driving over flying when possible—it's more reliable, lets you stick to your own schedule, and it's more energy-efficient per person. Having an electric vehicle with enough range and access to reliable fast chargers would make it much easier to take those kinds of trips without hesitation. Right now, even getting far outside of Orlando can be a challenge with the Leaf, because once you get into the hinterlands, fast chargers are few and far

between. I would not take a long road trip in my Leaf because of limited reliable fast charging stations.

14. I would feel more comfortable driving an electric vehicle for longer distances if reliable fast charging was more available. I'm happy to spend 30 minutes having a meal on the road while my car charges at a fast charger, but I don't want to risk running out of battery and needing a tow in a strange place—or spending hours waiting at a slower Level 2 charger if I can't find a working fast charger when I need one. Without public investment in public charging, trips will continue to be harder than they need to be.

15. When it comes to evacuating during a hurricane, charging access becomes even more critical. If Orlando were projected to take a significant hit, we'd want to leave—and we'd be concerned that the few charging stations would be swamped by a large number of EV owners leaving at the same time. But with the Leaf's limited range and the lack of fast chargers along evacuation routes, we couldn't safely count on it. Right now, we'd leave the Leaf behind and take the gas-powered RAV4 hybrid to reach someplace safer like Georgia, more than 250 miles away. Without a robust, reliable charging network, electric vehicle owners like us are put at a disadvantage in emergencies. Building chargers every 50 miles along key routes isn't just about making vacations easier—it's about making sure families can evacuate safely when it really counts. We had lived for several months with only the Leaf, but last June, at the beginning of a threatening hurricane season, my wife insisted that we invest in a second, gas-powered car (our hybrid RAV4).

16. Tourism is the lifeblood of Orlando. With Disney, Universal, SeaWorld, and dozens of other attractions, the city draws more than 30 million visitors a year. The airport is one of the busiest in the country, especially for rental cars—Orlando is rental car central. Tourism has

driven a lot of the civil engineering work I've been part of over the years, especially improving access to and from the airport. Electrifying rental fleets and expanding fast-charging infrastructure would make a real difference here. With better access to quick charging, more visitors could feel comfortable renting electric vehicles, and we could see more electric Ubers too. It would also make it easier for people to travel to Orlando in their own electric vehicles, knowing they could charge reliably along the way. It would be a big step toward cutting emissions and local air pollution in a city that sees so much travel day in and day out, which is something I care about, especially given my role in expanding highways in Florida.

17. I know firsthand how much can be lost when we don't act quickly to move away from fossil fuels. The damage isn't just theoretical—it's personal. Every year, storms become more frequent and severe due to climate change caused by fossil fuels. Even though Orlando is relatively safely situated compared to other places in Florida, storms cause significant damage where I live, including destroying my solar panels and totaling my car a few years ago.

18. I've also seen how fossil fuel disasters can take away places we love. My family used to vacation regularly in Destin, up in the Florida Panhandle—a place full of memories for us. But after the Deepwater Horizon blowout, that was taken away. Even years later, the beaches were still littered with tar balls and debris, and it just wasn't pleasant to visit anymore. We stopped going because the damage from the oil disaster wasn't just visible—it was lasting. It wasn't just a disruption; it was a real loss. That experience drove home for me how much harm the oil industry can cause to the places and traditions that matter most. It's part of why I believe so strongly that we have to move toward cleaner energy and electric vehicles—not someday, but now.

19. I'm very active with Third Act's Florida Working Group—the “Rocking Chair Rebellion,” as we call ourselves—out there waving signs, advocating for clean energy, and pushing the Public Service Commission to move away from fossil fuels. It's personal to me: I worry about my family, especially my new granddaughter. I worry about stronger storms, sea level rise, the future of coastal areas like Cocoa Beach and Fort Lauderdale where my nephews live, and I love to visit to boogie board with my friends. I worry about property insurance skyrocketing because of climate impacts, and the vulnerability of places like my nephews' homes at the beach, sitting just feet above sea level.

20. I've been following climate science for decades. I believed the climate scientists back in the '70s and '80s when they warned about the greenhouse effect. Unfortunately, my generation didn't want to listen—we kept buying bigger cars, burning more gas. We could have done a lot more, a lot sooner. Now, future generations are going to suffer because of it.

21. That's why I'm so concerned that the Federal Highway Administration has suspended the NEVI program indefinitely. I was counting on the NEVI program to make fast charging more accessible for me and my wife on future road trips, and to reduce barriers to electric vehicle ownership so that we can achieve the adoption rate needed to fight climate change and move away from fossil fuels for energy security.

22. Without a reliable and affordable network of public fast chargers—stations every 50 miles along key corridors—we won't be able to make electric vehicles practical for more people. I won't be able to take a future road trip confidently or evacuate during a hurricane without worrying whether there will be a charger available when I need it. Without NEVI, we won't make the progress we need to reduce carbon emissions from transportation, and the climate impacts that threaten me, my family, and millions of others will only get worse. Without

NEVI, we'll remain dependent on the oil and gas industry, with little choice but to keep fueling a system that puts our economy, our environment, and our future at risk. We needed to start the transition to electric vehicles decades ago—we can't afford to wait any longer.

23. My concerns about the NEVI program would be addressed if the Court issued an order revoking the Federal Highway Administration's indefinite freeze of the NEVI program and directing the agency to allow states to spend the funds and implement their existing plans to build out a national fast charging network, which would consequently expand access to reliable public fast charging—locally, on long-distance trips, and during emergencies; support the transition to electric vehicles; strengthen energy security; and help reduce the climate risks that threaten my family and community, both now and in the future.

24. The Southern Alliance for Clean Energy fully and adequately represents my interests in this proceeding.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 14, 2025

Thomas G. Caffery, P.E.  
Thomas Caffery (Ret.)

## **Declaration of Carina Campobasso (Sierra Club)**



**DECLARATION OF CARINA CAMPOBASSO**

I, Carina Campobasso, declare as follows:

My name is Carina Campobasso. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Winthrop, MA and have lived at my current residence for 25 years.
2. I am retired but I worked as a tax lawyer for the Department of Justice and the Internal Revenue Service.
3. I am a member of the Sierra Club. I became a member in about 1990 because I was very concerned about the environment and climate change in particular. Even as a little girl, I remember seeing a neighbor idle his car near the school bus stop. It bothered me that we all had to breathe in the exhaust while we waited for the bus. I can still remember the first Earth Day in 1970 when I was 11 years old.
4. I am an active member of the Massachusetts Chapter of the Sierra Club. I table, phonebank, and work with the chapter political director.
5. I also volunteer with other groups, including Mothers Out Front and Extinction Rebellion. I have worked on campaigns advocating for no new fossil fuel infrastructure and to stop the expansion of the Hanscom Field in Bedford, MA to build new hangars for private jets. I live very near Logan International Airport and am aware of the pollution produced by planes and ground vehicles at the airport. I am on the Logan Airport



Community Working Group, tasked with giving the Massachusetts Port Authority ideas on how to mitigate air pollution around Logan. One proposed mitigation measure is to electrify vehicles travelling to and from the airport.

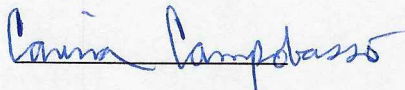
6. My husband and I own two EVs, a 2023 Chevy Bolt EUV and a 2023 Chevy Bolt EV. We bought them in 2024 from Hertz Car Sales. We also own a third car that is gas-powered because our daughter needed to get up to the University of Maine, where she goes to school. She keeps that car with her in Maine. We previously owned a 2013 Ford Focus Electric.
7. My daughters learned to drive on the Ford Focus. They shared stories about friends offering to pitch in for gas and their being able to say no because the car didn't use gas.
8. Our Bolt EUV is rated for 247 miles of range and the Bolt EV is rated for 259 miles of range. We keep them charged to about 80% to conserve battery life, using our Level 2 charger. Our EVs also have CCS ports for fast charging. We primarily use the ChargePoint charging app but also have EVgo, Electrify America, and Greenspot.
9. We bought and will continue to buy EVs because we are concerned about climate change.
10. Electric cars are perfect for older people because they can be charged at home and need less maintenance.
11. We had an issue once charging along the highway. The first charger we tried didn't work and we had to use another.
12. We have one daughter at the University of Maine and one in law school at New York University. My sister lives in New Rochelle, New York. We would like to use our EVs to visit those family members, using I-90, I-91, I-95, I-84, and other highways designated as Alternative Fuel Corridors (AFCs) by the Federal Highway Administration (FHWA).



13. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for high-speed EV chargers every 50 miles along AFCs. Adding additional fast chargers along AFCs would improve long-distance EV travel.
14. I am aware that the FHWA suspended funding for the NEVI program in February, which halted states' work to get charging stations built along their AFCs. I am concerned that the freeze will slow the rate of EV adoption, because many prospective EV owners still have concerns about charging infrastructure.
15. If NEVI funding was unfrozen and there were more EV chargers along major highways, my husband and I would use our EVs to visit my daughter in Maine, my other daughter in New York City, and my sister in New Rochelle, New York.
16. I understand that the Sierra Club is bringing a suit to unfreeze NEVI funding so that highway EV charging infrastructure buildout can continue. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on April 21, 2025.



Carina Campobasso

## **Declaration of Robert Cruickshank (Sierra Club)**

**DECLARATION OF ROBERT CRUICKSHANK**

I, Robert Cruickshank, declare as follows:

My name is Robert Cruickshank. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Seattle, WA 98125. I moved here for graduate school in 2001 and have been here continuously since 2011.
2. I am the Digital Director for California YIMBY, a housing advocacy non-profit. In the past, I worked for other non-profit organizations and for Seattle Mayor Michael McGinn, former State Chair of the Washington Chapter of the Sierra Club.
3. I am an active member of the Sierra Club. Growing up in Southern California in the 1980s, I remember playing outside, feeling like my lungs were burning, and learning about smog. I moved to Seattle and really liked being in a city with natural beauty nearby and I wanted to protect that. Learning about the climate crisis and global warming in the 2000s and watching George W. Bush shred a lot of climate efforts helped me realize that we need to reduce emissions and that has been a really high priority for me for 20+ years.
4. I am now volunteer chair of the Sierra Club Seattle Group. Our group is active in housing and transportation, pushing the city to build more housing and mass transit while lowering fares, all the things that make Seattle a more sustainable city.

5. Most of Seattle's power comes from hydroelectric sources so the main source of air pollution and carbon emissions in Seattle is transportation.
6. I drive a fully electric 2024 Kia EV9, which my wife and I purchased in August 2024. It is my primary car. It gets about 260 miles of range, depending on conditions, and uses a CCS port for fast charging. I had always wanted to drive an electric vehicle (EV).
7. I use my EV9 for highway travel weekly. Every weekend during the winter, my son and I drive 50 miles on I-90 to Summit at Snoqualmie, a ski hill.
8. I would like to take my kids to the Oregon Coast in the EV9. It's a 5 hour drive from Seattle, along I-5 which is an Alternative Fuel Corridor (AFC). I feel pretty confident about making it to Portland but from there, it's pretty rural and remote. I'm not all that confident that they would have the charging infrastructure we would need. My family is down in Southern California, I would also like to be able to take the EV down to visit them. I have yet to drive my kids to the Oregon Coast and only visit my family in Southern California by plane because of the lack of charging infrastructure,
9. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build electric vehicle charging stations along major highway corridors designated as AFCs.
10. I am aware that the Federal Highway Administration (FHWA) froze funding for the NEVI program in February, putting an indefinite pause on state efforts.
11. The pause on the program raises concerns for me about taking trips outside of the city. I want to be able to go to Crystal Mountain, Mt. Rainier, Stevens Pass, Mt. Baker. I don't know what federal money is going to look like so I don't know what charging

infrastructure is going to look like. It has left me wondering whether the car is going to be as useful as I thought it would be when I bought it.

12. If the NEVI program were unfrozen, I would use my EV to travel down to the Oregon Coast and all the way to Southern California, along with other trips around Washington.
13. I am aware that the Sierra Club is bringing a suit to unfreeze the NEVI program and I support Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 15, 2025.



Robert Cruickshank



## **Declaration of Michael D'Adamo (Sierra Club)**

**DECLARATION OF MICHAEL D'ADAMO**

I, Michael D'Adamo, declare as follows:

My name is Michael D'Adamo. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in New Hope, Pennsylvania. I have lived at my current residence for about a year.
2. I have been a clinical psychologist since 1991.
3. I have been a member of Sierra Club since 2015. I joined because I wanted to be involved in work that addresses the environmental concerns that I have. I am active with my local Sierra Club group, Southeastern Pennsylvania. I'm on the committee that combats dirty energy, the committee that promotes clean energy, a lobbying committee, and part of the climate advocates group where we're trying to advance the IRA bill and all of its credits and rebates. We try to get information out to the public and collaborate with the Pennsylvania Department of Environmental Protection.
4. I have owned a Hyundai Ioniq 5 since November 2024. I chose this electric vehicle (EV) because once I test drove it, the vehicle fit my criteria, it received many kudos and high ratings, plus it has a 290 mile range. Because of the climate situation we are in I wanted to buy a cleaner alternative to a gas-powered vehicle. I was able to go fully electric because I also just bought a house that allowed me to put in my own Level 2 charger in the garage. Previously, I was a renter, which made it difficult to charge, and I owned a plug-in hybrid.

5. As a new fully electric vehicle owner I have noticed that there is a learning curve to using a public charging station. I had the misconception that most of the public stations were Level 3 fast charging stations. I was surprised the first time I pulled up to charge, the machine said it was going to take 14 hours to charge up to 80%. Fortunately, I was staying at a motel and was able to charge it up overnight. But for someone who doesn't have that kind of time it is an inconvenience that there aren't more Level 3 fast charging stations. I have noticed that most public charging stations are Level 2.
6. I travel frequently to New Jersey about once every two weeks and need to charge up on my route. I drive on I-95 and I-476. I am planning on taking a trip up to Massachusetts this summer. Since I am a relatively new EV owner, I have anxiety on whether I'll find a Level 3 charger because I don't want to spend 12 hours getting to my destination. Ideally, I would like to spend 30 minutes getting my vehicle fully charged. My Level 2 charger at home charges my Ioniq 5 to 80% in 5 to six hours. If there were more Level 3 public charging stations I would be able to get in and out in 25 minutes. I have anxiety about if and where I'll locate a Level 3 charger when I am driving on a highway. I have to carefully plan out my route which is an inconvenient extra step; I can't just get in my car and drive.
7. The lack of availability of reliable fast charging stations on the highway causes me anxiety and limits how often I would travel on a highway with my EV. I have worried about stranding while driving my EV. One night, I thought I had charged my vehicle before a trip but wasn't fully charged. I took the car to drive and I ended up being 10 miles short on my battery life. This meant that I had to make an unplanned stop at a charging station because I didn't want to risk having to be towed. There is a cloud of

uncertainty as an EV owner, on whether I will be able to accomplish what I need with my charging and get where I need to go. I have anxiety all the time around this.

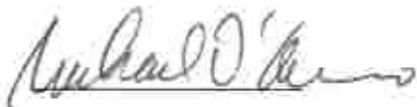
8. I am concerned about the adequacy of charging stalls at existing stations. Even when you do have a Level 3 charging station accessible, I have found that you're often competing for a spot with multiple cars waiting. Unless you're going at an off time there won't be one you can just pull up to. Instead you have to wait for an available station. This competitive situation and overcrowding at publicly accessible fast chargers is very unwelcome and there needs to be more stations available on these major highways. One time I decided to leave a charging station because there were so many cars waiting. It's nerve wracking because at this point I was operating on a small range and had to compromise and ended up going to a Level 2 charging station for half an hour just to get enough of a charge to get home.
9. I am concerned about the recent federal actions to block all of the funding which was dedicated to building out highway fast chargers.
10. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for Pennsylvania and other states to build EV charging stations along major highway corridors, making long distance EV travel more convenient.
11. I am also aware that the Trump administration paused the NEVI program in February. I feel our government should be supporting this EV buildout as much as possible rather than obstructing it given the dire climate circumstances we are in.
12. If funding for the NEVI program was unfrozen and there were charging stations along major highway corridors in Pennsylvania, I would feel less anxiety and more secure in taking long trips on the highway in my EV. If the network expands with a lot more Level

3 charging stations, it's going to make driving much less stressful and I'd be able to go to places without that cloud of uncertainty on highways and when I travel to Massachusetts. I purchased this vehicle because what was planned on the horizon for fast charger build-out looked positive for traveling, especially long-distance travels. Now all of a sudden this purchase, even though I wouldn't reverse it, certainly made it feel less desirable.

13. I understand that the Sierra Club is bringing a suit to unfreeze the NEVI program and release billions of dollars in funding for electric vehicle charging infrastructure along major highways. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 6, 2025.

A handwritten signature in dark ink, appearing to read "Michael D'Adamo", with a stylized flourish at the end.

Michael D'Adamo

## **Declaration of Matthew Dalstrom (NRDC)**



**DECLARATION OF MATTHEW DALSTROM**

I, Matthew Dalstrom, declare as follows:

My name is Matthew Dalstrom. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Stoughton, Wisconsin, about 20 minutes south of Madison, and I've lived here since 2014. I have no intention of leaving the area. I work as a professor of nursing at Saint Anthony College of Nursing, in Rockford, Illinois.

2. I have been a member of the Natural Resources Defense Council (NRDC) since 2017. I support NRDC because I have three young children, and I am worried about what climate change means for their future. I also love to recreate outdoors in northern Wisconsin, and I'm worried that in the future, if pollution gets too bad, we won't be able to recover. For example, when Canadian forest fire smoke blanketed Wisconsin, we had to stay inside, and I noticed tightening in my chest.

3. I rely on cars to commute to work and travel around the Madison region. I own a 2018 Subaru Outback, an internal combustion engine vehicle, but in 2023 I purchased a Volkswagen ID.4, an electric vehicle (EV). I had wanted to purchase an EV for a while due to environmental reasons, to improve local air quality, transition from fossil fuels, and reduce my carbon footprint. I also knew that overall, EVs can be cheaper to maintain and fuel. I purchased the iD4 because it had a long enough range for me to commute with and because I was able to get the federal tax credit, making the car affordable for me.

4. In many ways, my ID.4 is my primary vehicle. The car has a range of over 200 miles, though the range depends on weather conditions, and it uses a CCS charging port for fast charging. I work 2 days each week in the office, and I use the ID.4 most days for my 140 mile round trip commute. On the days when I work from home, my wife commutes with the ID.4, and she uses the Subaru on the other days. We use our ID.4 on a number of highways, including I-90 (which I use to commute) and Routes 51, 138, and 14 to commute and to travel to Madison. We also take I-94 to visit my wife's family near the Twin Cities. I am aware that I-90 and I-94 are designated by the Federal Highways Administration (FHWA) as Alternative Fuel Corridors (AFCs).

5. Although the ID.4 serves my family well in traveling locally and in our work commutes, we mostly charge our car at home due to the lack of EV charging infrastructure near us. I can commute to work in the ID.4 on one charge during the warm seasons, but in the winter when it is below 20 degrees, the range is diminished. As a result, I need to start at 90-100% charge to make the commute in the winter, and even that can be dicey. I often experience range anxiety during my commute in winter months. The problem is that although there are fast chargers in Madison, there are no faster chargers along I-90 between my house and my work, so it isn't feasible for me to stop and charge. It would be really useful if there were fast chargers along I-90 between my house and my work. Even just being able to charge for 5-10 minutes would be perfect on cold days to ensure I can commute without getting stranded, and also to make sure I have enough charge when I get home to run errands or take my children to activities.

6. The lack of charging infrastructure also impacts our trips to visit my wife's family near the Twin Cities. There is a charging station at a Walmart on the way to my wife's family, but

because there are so few chargers along the route, we often have to wait for others to charge at that station.

7. I'd also really like to be able to take the ID.4 to go to Northern Wisconsin, where we love to recreate. Unfortunately, there's only one main road to get there – Route 51 – and there aren't any charging station there yet. I understand this portion of Route 51 is an AFC, and I was hoping that the government would put in chargers along that route so we could access the northern part of Wisconsin with an EV. I also go to Peoria, Illinois occasionally for work, and I'd love to be able to use my EV to get there, but there aren't fast chargers along the route .

8. The only reason to keep our gas car is to do trips to areas like Northern Wisconsin where there aren't chargers available. If there were fast chargers available in Northern Wisconsin and other areas we travel to frequently, we wouldn't need our Subaru anymore.

9. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build high-speed electric vehicle charging stations along major highway corridors, including the highways I use to commute, visit my wife's family, and recreate. I also understand that NEVI stations must meet strict reliability standards.

10. I am aware that FHWA froze the NEVI program in February of this year, including cutting off billions of dollars of NEVI funding to the States. I am concerned that because of this funding freeze, Wisconsin and other states have been unable to build new charging stations along the highway corridors I use and would like to use.

11. If FHWA were to resume the NEVI program and its funding, I would benefit from the additional charging stations that would be built along highway corridors in Wisconsin and other states. With this more robust charging infrastructure, I would be able to commute in the

winter without fear of being stranded, visit my wife's family more easily and with less wait time for charging, and take my ID.4 to Northern Wisconsin to recreate.

12. I am aware that NRDC is bringing a lawsuit to unfreeze the NEVI funding for EV charging infrastructure along major highways. I support this lawsuit.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Date: 05/12/2025

A handwritten signature in black ink, appearing to read 'Matthew Dalstrom', is written over a horizontal line.

Matthew Dalstrom

## **Declaration of Raymond Dolgert (Sierra Club)**

**DECLARATION OF RAYMOND DOLGERT**

I, Raymond Dolgert, declare as follows:

My name is Raymond Dolgert. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Media, Pennsylvania, in Delaware County. I have lived at my current residence for 17 months.
2. I retired in March 2024. I worked at the MITRE Corporation as an information systems engineer for 38 years.
3. The air quality in Delaware County has been designated by U.S. EPA as not meeting the agency's health-based air quality standard for smog. Chester City, four miles south of my home, has oil processing and port facilities that are emitting pollutants. Air quality is a concern to me. I know vehicles are a leading source of air pollution and that concerns me.
4. I have been a member of Sierra Club since spring of 2024. I joined because of climate change. I wanted to be a part of providing solutions and get in contact with people who were actually taking action. I especially wanted to help take action on the national level and locally. I am currently part of the Delaware County Green Team which is within the Southeastern Pennsylvania Group. We focus on environmental issues specific to Delaware County, Pennsylvania, and the broader mission of exploring, enjoying, and protecting the planet.
5. I own a full battery-electric vehicle, the Hyundai Ioniq 5, which I bought in June 2024.



The reason I purchased the electric car was to lower my carbon footprint and become familiar with possible challenges driving an all-electric car. I can get over 300 miles on a full charge, but using a full charge is not recommended in order to retain a long life for the lithium battery. I have a Level 2 charger at home that has 240 volts and 60 amps. I primarily charge at home because it is cheaper and more convenient since I don't have to wait in long queues. Hyundai has an arrangement with Electrify America, where new EV owners can charge their car for free at Electrify America chargers for two years after purchase. However, I have found that there's always a long line at these stations. I tend to drive away and don't charge there because I don't think it is worth waiting in line that long. The 2024 Ioniq 5 has a Combined Charging System (CCS) connector. I bought a Tesla adapter, but learned it only provides Level 2 charging, about as slow as my home charger.

6. I am part of several EV charging networks: Electrify America, Charge Point, and EV Go. I joined multiple charging networks to have versatility and flexibility. I drive on highways about two to three times a month. I often drive up to Reading, Pennsylvania. It is about 50 miles away from where I live but it eats up more electric miles than that. If I drive with a 80% charge, by the time I get home I will be at a 40% charge. It ends up using around 120 electric miles for what should be a 100-mile round trip. The car makes these estimates, and they're generally more optimistic than what I actually end up using. I take the I-476, I-76, and U.S. 422. I once drove to State College, PA, which is about 190 miles away, to visit a relative. I researched ahead of time all the CCS fast charging stations and where I could stop ahead of time. I cannot just hop in my car and get on the road and feel secure in finding an electric charging station easily. I have noticed that

when I travel further north and northeast into Pennsylvania, there are charging deserts.

7. I use an app called Plug Share to learn about pricing at charging stations but it often does not provide helpful information about costs. The cost numbers aren't accurate. It'll give a large range between \$0.25 - \$0.65 per kilowatt hour. I have used high-speed public charges on highway trips and found many to be non-functional. There needs to be more reliable and available fast charging stations. I've had to call Electrify America charging stations because the charger wasn't working. Once I called and they said they restarted the station but it still wasn't working so I pulled away and had to find another charging station. When I charged at a car dealership outside of Harrisburg, only one of the two Level 2 stations was in service. When I drove up to State College, I pulled up to a station that had six chargers but only four were actually working. And when I started charging I noticed that the speed of charging was slowing down as time went on. When I charge at the Pottstown Simon mall I always have to wait because all six charging stations are busy and occupied. Once, I went there and decided to leave because I didn't want to wait in the long line. When I tried to charge in King of Prussia there was a line five cars long. I had to wait an hour in line just to get a charger. I don't think that is worth it for that long. Especially since I primarily see Level 2 chargers, I rarely see enough Level 3 chargers on the highways.
8. When I want to take a trip on a highway I have to do a lot of thinking and planning and there's a lot of mental computation involved. I have range anxiety and have to pay attention to my miles while I am on the road. That is why I properly plan out all my trips and have back up plans in place if the initial charging station I would stop at is unavailable. There isn't a guarantee that I will find a reliable or available fast charger.



The lack of availability of reliable chargers on highways affects how often I travel in my EV. I have wanted to visit my son in Pittsburgh, which is about 290 miles away. I have noticed there aren't as many CCS chargers available on the route I would take, so I am hesitant to travel. (Chargers seem to be concentrated around large cities.) I haven't looked into taking trips to out-of-state relatives because I am hesitant to put myself in a situation where I could get stranded on the road if there aren't enough charging stations available. I have family in Maryland, and I worry about the hassle of the research I need to do in order to reach my destination safely. It becomes very stressful meticulously planning out a trip. Having more chargers on highways would alleviate that stress.

9. I plan on making a trip to a family member in Reading and then heading to another member in Bloomsburg, Pennsylvania. I would feel less anxious and safe if there are more fast charging stations on highways. I would like more accurate price information since the app I currently use provides only ranges of prices. Also, having a way to broadcast the queue that's currently waiting for a charging station would alleviate and make planning for a trip easier and efficient on the road. Especially having more fast charging stations would alleviate wait times.
10. I know the National Electric Vehicle Infrastructure (NEVI) program is supposed to build out charging stations every 50 miles on major US highways and that would be tremendously helpful. I need an increase in charging stations to alleviate the burden and hassle of planning out my trips and enable me more easily to get to all of the places I want to drive. If the NEVI program were fully implemented, I wouldn't have the hassle of worrying about where to charge. I would be able to just get in my EV and drive. I wouldn't have to wait in long lines to charge and would be confident in knowing that the

stations are reliable and working. Since I have this range anxiety, I'm pretty confident, it's a major reason more people aren't buying all-electric vehicles. This reluctance is perpetuating the use of fossil fuels that increase global warming.

11. I am aware that the NEVI program provides funding for Pennsylvania and other states to build EV charging stations along major highway corridors, making long distance EV travel more convenient.

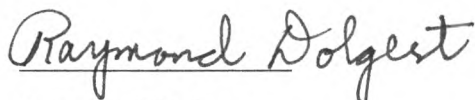
12. I am also aware that the federal government paused the NEVI program in February. I feel our government should be supporting this EV buildout as much as possible rather than obstructing it, given the dire climate circumstances we are in.

13. If funding for the NEVI program was unfrozen and there were charging stations along major highway corridors in Pennsylvania, I would feel less anxiety and more secure in taking long trips on the highway in my EV, especially to visit my son in Pittsburgh.

14. I understand that the Sierra Club is bringing a suit to unfreeze the NEVI program and release billions of dollars in funding for electric vehicle charging infrastructure along major highways. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 08, 2025.

A handwritten signature in cursive script that reads "Raymond Dolgert".

Raymond Dolgert

## **Declaration of Joseph Dubaniewicz (Sierra Club)**

**DECLARATION OF JOSEPH DUBANIEWICZ**

I, Joseph Dubaniewicz, declare as follows:

My name is Joseph Dubaniewicz. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion, and judgement on the matter.

1. I live in Kenosha, Wisconsin. I have lived at my current residence for 9 years.
2. I am a retired chemical engineer, computer engineer, and software developer. Now I am a full-time volunteer for environmental activism.
3. I have been a member of the Sierra Club for 11 years. I first joined in 2014. I am currently active with the Wisconsin state chapter and the local chapter's Southeast Gateway Group. I have also been involved with the Milwaukee chapter's Great Waters Group.
4. I joined the Sierra Club after being approached by a Sierra Club leader organizing to reduce pollution from a coal-fired power plant on the shores of Lake Michigan in Waukegan, Illinois, which is near to where I was living at the time (Libertyville, Illinois). We formed our own action committee with the Sierra Club's Beyond Coal campaign, and it was called Clean Power Lake County. Lake County is the northeasternmost county of Illinois. We called ourselves the Climate Avengers. The effort was a success because our advocacy led to the retirement of the Waukegan coal-fired power plant in 2022. I now live in Wisconsin, where I am on the same mission of working to retire the coal-fired plants that We Energies (WEC Energy Group) has in Oak Creek, Wisconsin.



5. I am the political chair of the Southeast Gateway Group. I go out and speak with the local officials, county officials, and state officials, and legislators to learn everything I can about what they are doing for the environment. In 2020, I was part of the Governor's Task Force on Climate Change created by Governor Tony Evers and directed by Lieutenant Governor Mandela Barnes, where I was advocating for increased use of electric vehicles and clean transportation. I am a member of 350.org in Milwaukee, where I am advocating for clean energy with solar, wind, and electric vehicles. I travel up to Milwaukee County where I work with the League of Women Voters Natural Resources Committee and their Climate Action Group that is working with Milwaukee County and state-wide legislation. I am on the board of the Wisconsin Electric Vehicle Association, and I am a member of Plug In America, where I have participated in many Electric Vehicle car shows for several years. In every EV car show that I have either hosted or attended, I am asked by event participants, "Where can I charge my EV when I am traveling long distances from home"? I answer them, "That is a work in progress."
6. I have asthma and own an expensive inhaler, which I have to use daily. I've known for many years that high levels of air pollution can cause asthma attacks, and that gasoline- and diesel-powered vehicles are a major source of air pollution.
7. I own a full battery electric vehicle, a 2017 Chevrolet Bolt EV. I specifically chose the Bolt EV because it was a passenger-type car, and it was on the lower end of the pricing choices. I've been told it is a cool-looking car. I looked at the miles per gallon equivalent, and I saw it compared to 119 miles per gallon (MPGe). Unlike internal combustion engine (ICE) vehicles, it does not pollute the air with hydrocarbons and carbon dioxide. Plus, it is fast and comfortable, and it includes all the high-tech I need. It was the best

decision I've ever made. The range of the Bolt EV is 300 miles on a 66 kilowatt-hour battery. I did recently get a battery replacement because of a recall with General Motors in 2022. For fast charging, I have a CCS charging connector type with a NACS convertor. 95% of my charging is at home with a Level 2 charging station. When I am on the road, I generally use publicly accessible ChargePoint or Electrify America charging stations. I also have access to EV Go and Blink charging stations.

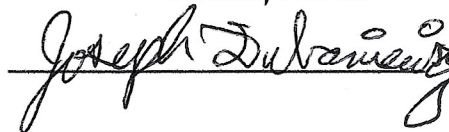
8. I use my Bolt EV approximately twice a month for highway travel. I frequently travel on I-94 and I-41. I will drive to Madison, Wisconsin, a dozen times a year (a 115-mile trip). I often travel to Milwaukee, and I go to Illinois and northern Wisconsin for EV car shows. The farthest I have gone in my Bolt EV is Marshfield, Wisconsin, which is 225 miles away. I try to use high-speed public chargers when I can find them. There are more in Illinois than my home state of Wisconsin at this point which is frustrating. Finding a high-speed charging station is difficult. I sometimes end up going to level 2 charging stations and waiting.
9. I was once seriously inconvenienced because of a lack of charging on a highway trip to Madison, Wisconsin. On this trip, I was unable to easily locate a charging station during my return drive home and ran out of power one mile from a charging station at a Sam's Club. I pulled over to the side of the road and had to call a tow truck. The tow truck brought out its jumper cables, and I said, "No, that is not going to work." I had to call another tow truck, and he ended up towing me to the Electrify America charging station at Sam's Club, and I was finally able to charge up. It was a strange experience. Because of that experience, my wife decided to buy a hybrid vehicle instead of an all-electric one. The increase in availability of highway EV charging is not happening quickly enough.

10. I am also frustrated with information access at public fast charging stations, including for pricing. I do use an app to locate the high-speed charging stations, but it is confusing because it's hard to tell if it's a true high-speed charging station or medium-speed charging station. I did have an issue with the Tesla adapter for my Bolt EV. The Bolt EV could not take a fast charge with a higher voltage. When I travel with my Bolt EV to my local hospital, I can charge up my vehicle with their level 2 charging network for an hour or so, and I can also seek out grocery store chains for their charging stations. I understand that NEVI stations must clearly display prices, meet minimum fast charging power requirements, and share data on power ratings, pricing, and station availability, among other things. Last year I took a road trip to the south, driving to Kentucky, Tennessee, North Carolina, South Carolina, and Georgia. Although we would have preferred to, we did not end up taking my Bolt EV due to concerns over the availability and reliability of fast charging infrastructure. We ended up taking my wife's Toyota Corolla Cross Hybrid since we couldn't rely on the availability of EV charging stations in rural America. During our drive through these states, I kept an eye out for EV charging stations. The infrastructure for EV charging stations was lacking, and there weren't that many. We are now planning a trip to the east coast and will again take my wife's Toyota hybrid but we prefer to travel in the Bolt. Although we will be driving on the highways, it is still a gamble to experiment with finding a fast charging station.
11. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for Wisconsin and other states to build EV fast charging stations along major highway corridors, making long-distance EV travel more convenient. I am aware that the goal of NEVI is to deploy fast charging stations every 50 miles along major corridors, at

11. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for Wisconsin and other states to build EV fast charging stations along major highway corridors, making long-distance EV travel more convenient. I am aware that the goal of NEVI is to deploy fast charging stations every 50 miles along major corridors, at first, including those that I drive on during my longer trips. The stated goal of the NEVI program is to locate fast charging stations on the interstate highways first, then the state highways, and then on rural roads, and that they have access to public restrooms and food. I am also aware that the Trump administration paused the NEVI program in February.
12. If funding for the NEVI program were unfrozen and there were EV charging stations along major highway corridors in Wisconsin and in other states where I tend to travel, I would be more likely to drive long distances in my EV and have fewer challenges when deciding to take my EV on the road.
13. I understand that the Sierra Club is bringing a suit to unfreeze the NEVI program and release billions of dollars in funding for electric vehicle charging infrastructure along major highways. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 8, 2025.

 Joseph Dubaniewicz

## **Declaration of Joel Dunn (Sierra Club)**

**DECLARATION OF JOEL DUNN**

I, Joel Dunn, declare as follows:

My name is Joel Dunn. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. My primary residence is in Emerald Isle, NC 28594, where I have lived with my wife for the last eight years.
2. I am a retired university administrator and computer scientist.
3. I became a Sierra Club member about five years ago. I am currently the Group Chair for the Croatan Group, which represents five counties, and I am an at-large member of the State Executive Committee. I am also on the Board of Directors and serve as Secretary for a local nonprofit called Coastal Carolina Riverwatch, which works on small coastal rivers and inland water quality. I have also joined lots of Facebook groups and forums to get more charging information about my EVs and how to best use them with the existing charging infrastructure.
4. My wife and I have had electric vehicles (EVs) since 2017. Currently, our only cars are two full battery-electric vehicles: a 2020 Chevy Bolt, which we use locally, and a 2022 Rivian R1T, which I enjoy driving and using for camping trips. We also use the Bolt for other distance travel when we are not camping, such as visiting our children and grandchildren. Having more fast charging stations makes it easier not to think and plan far in advance about where we will stop and charge. When we bought our first Bolt in



2017, I was interested in making the switch to EVs and easily convinced my wife because it was the most affordable EV at the time. We later traded it in for the newer version, our current 2020 Bolt.

5. The Chevy Bolt has a 55kw fast charge rate, while the Rivian has a 220kw fast charge rate, which is of course much faster, and the battery ranges are 259 miles and 350 miles, respectively. When we go on trips to the mountains or outdoors, we take the Rivian. We can also tow our camper or boat with it, which roughly halves the Rivian's effective range.
6. We use both cars daily to drive locally for errands, grocery shopping, going out to restaurants, and visiting our grandkids. At least once or twice a month we drive to our oldest son's house, west of the D.C. suburbs, to visit, about 350 miles away, and only need to charge once, and do so along the highway. Recently, every week we have been driving about 75 miles each way to visit our one-year old grandchild and help them out with babysitting. Both of our sons have EV chargers in their garages for us to be able to use and charge with when we come and visit. On average, every month we probably put about 1,000 miles on each car. We drive most frequently on NC-24, US-70, I-95, and NC-58.
7. Both cars can use the NACS connector type, which I have converters for, but the native connector on both is the CCS-1. In the early days, with our first EV in 2017, we could not even drive our EV from where we live in North Carolina up to Northern Virginia, because of a lack of chargers, but once Electrify America started building more we could start driving the EV up there. We use all of the major charging networks for our vehicles, including Tesla, Electrify America, Chargepoint, Rivian, Blink, and EVgo. That's part of

the problem—there are so many different charging networks you have to belong to to have access, and it makes it more difficult than it should be and unnecessarily complicated.

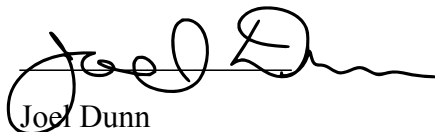
8. Rivian built out charging stations along the Blue Ridge Parkway, which made it so much more practical to travel up there with that vehicle. Rivian also partnered with the South Carolina state park system and installed Level 2 chargers in all parks. Their buildout was the catalyst for us to buy a camper and be able to take trips to the mountains that we otherwise would not have been able to. In North Carolina most state campgrounds offer a 50 amp camper service if you reserve an electric site, and we can then charge the Rivian at the campsite on the 50 amp circuit while using the 30 amp for the camper. We take the Rivian and our camper to lots of different North Carolina state parks, and have also gone down to South Carolina to visit a few state parks, and also to see Congaree National Park. If there were more stations, particularly in rural areas, it would make many other destinations feasible.
9. Electrify America has built out charging stations that enable us to get out more with our EVs but they were really not good at the start. Some of the first-gen stations might have had bad components, and they were not at all reliable. A lot of these stations only have four chargers, and almost always at least one of them is not working properly or not rated at the correct speed. Before the NACS chargers like Tesla became more available where we live, there used to be lines of cars outside of charging stations waiting for their turn to charge their EV. I have had to wait in charging station lines, particularly at Electrify America stations.
10. I firmly believe that publicly accessible highway chargers need to be simpler, more reliable, and more accessible for the average person to be able to use and locate. While

I'm fortunate enough to have ready charging access at home, better access to more reliable fast charging stations that do not require membership in a charging network would enable us to make more and longer trips in both of our EVs. In America, there is a gas station off almost every exit on the highway, but not an EV charging station. There should be more chargers built, and signs on the road and not just on your phone or in your car computer telling you where to go.

11. I understand that new stations funded under the NEVI program must have an average annual uptime of 97%, not require membership for use, permit payment by credit card, and that each DCFC port must be capable of charging any CCS-compliant vehicle and have a permanently attached CCS Type 1 connector.
12. I support the Sierra Club's efforts in bringing a suit to unfreeze the NEVI program funds and release billions of dollars of funding for EV charging infrastructure buildout along highways in North Carolina that we use to visit state parks.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 5, 2025.

  
Joel Dunn

## **Declaration of Susan Eastwood (Sierra Club)**

**DECLARATION OF SUSAN EASTWOOD**

I, Susan Eastwood, declare as follows:

My name is Susan Eastwood. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Ashford, CT 06278. I have lived here for 30 years this May.
2. I retired during the COVID-19 pandemic after working as an advocate for victims of domestic violence and as the Director of Outreach and Communications for Clean Water Action, an environmental advocacy organization.
3. My husband and I have two grown-up children. When my daughter Emma was young, she had bad asthma and I didn't work for a time, in part to take care of her. I know that air pollution from gas-powered vehicles can cause asthma and make symptoms worse.
4. I've been a member of the Sierra Club for decades. My husband is also a member. I have always cared about environmental protection, doing middle school science projects about air pollution in the early 1970s. When my daughter was sick with asthma, I advocated for her to be able to have her inhaler at camp, which got me back involved with air pollution work. I also shared an office with a Sierra Club staff member when I was at Clean Water Action and we used to talk about pollution problems together.
5. I am now the volunteer Chapter Chair for the Connecticut Chapter of the Sierra Club. I first joined the Executive Committee, am now involved with various other committees,

and have supported campaigns to stop development of fossil fuel pipelines and power plants. I am a member of the Zero Waste coalition, advocating against ash landfills and for composting legislation.

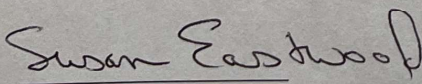
6. My husband and I started the Ashford Clean Energy Taskforce in 2009, encouraging our town and schools to adopt energy efficiency and clean energy measures, like installing solar panels and upgrading lighting to LEDs while helping community members reduce their electrical use and add solar to their homes.
7. My husband and I have two fully electric vehicles: a 2019 Chevy Bolt and a 2025 Volvo EX30. They are our primary cars. We bought them because we believe in clean energy and became repulsed by the fossil fuel industry. Having electric vehicles (EVs) saves us money and supports a growing industry that we believe in.
8. The EVs' mileage varies significantly between summer and winter: the Bolt can get 300 miles of range in the summer but less than 200 miles of range in the winter. We have only had the Volvo for a month but it is rated for about 250 miles. Both use CCS ports for fast charging.
9. We have never had much success with fast chargers. Once, we tried to take the Bolt down to Pennsylvania for a funeral, stopping to see my husband's sister in New Jersey along the way. We planned out the route based on fast charging locations but we found that a lot of them didn't work. We ended up having to charge overnight at a hotel in New Jersey using our extension cord, stopping at another slow charger at a car dealership, and then only having enough charge to get to another town in New Jersey where we spent an unplanned night at a hotel that had a charger. We then only had enough of a charge to get to another dock in New York before finally getting home. It was a real ordeal.



10. Because of the lack of accessible, reliable chargers, it often takes a huge amount of effort to plan trips.
11. This week, we are going to a Peace Corps retreat in rural Pennsylvania and have had to rent a gas-powered car, so we don't need to rely on highway chargers.
12. We would love to be able to use our EVs to visit family in New Jersey and Kentucky and to drive up to Acadia, Maine, to Vermont, and to eastern Canada, using I-84, I-95 and other highways listed as Alternative Fuel Corridors (AFCs) by the Federal Highway Administration (FHWA).
13. I am aware that the National Electric Vehicle Infrastructure (NEVI) program funds electric vehicle chargers along major highway corridors.
14. I am aware that the FHWA paused the NEVI program in February.
15. If NEVI program funds were unfrozen and more charging infrastructure was built along major highway corridors, my husband and I would use our EVs to visit family in New Jersey and Kentucky, and drive up to Vermont, Maine, and eastern Canada.
16. I am aware that the Sierra Club is bringing a federal suit to unfreeze NEVI funds. As a member of the Sierra Club and EV owner who would benefit from expanded charging infrastructure along major highways, I support Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on 5/13, 2025.



Susan Eastwood

## **Declaration of Sarah English (NRDC)**



**DECLARATION OF SARAH ENGLISH**

I, Sarah English, declare as follows:

My name is Sarah English. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Madison, Wisconsin and have resided here for about six years. Previously, I've lived in Japan and spent time in Hawaii between stints of living in Madison after growing up in Colorado, where my family still lives, and completing my education in Oklahoma. I am a software developer.

2. I have been a member of the Natural Resources Defense Council (NRDC) since 2016. As someone with an interest in preserving natural environments, I have long admired NRDC's work to protect the environment and became a member to support their advocacy. I volunteer with my local arboretum to support its restoration initiatives that clear invasive species in my community. Becoming an NRDC member was an opportunity to support national environmental advocacy that I can't engage in locally.

3. I rely on cars to travel around the region to visit friends, commute to work, and purchase groceries. Due to my concerns about the impacts of internal combustion vehicles on the environment, I have wanted to purchase an electric vehicle (EV) for a long time. However, I was concerned I wouldn't be able to charge an EV had I purchased one prior to buying my first home, where I would be able to regularly charge the car.

4. I finally purchased my first EV, a Ford Mustang MachE, last year after waiting years for the right opportunity to do so. While I was eager to make this purchase now that I had a home where I could reliably charge the car in, it was frustrating to know that I had to wait so long because of the lack of non-Tesla chargers in my community to reliably charge my vehicle outside of my home.

5. My MachE is my primary vehicle. It has an advertised range of 220 miles, though the range depends on weather conditions, and it uses a CCS charging port for fast charging. The MachE reliably gets me around town, and I primarily travel along highways such as I-90 and Routes 151, 14, and 18 to travel locally. I am aware that I-90 and Route 151 are designated by the Federal Highways Administration (FHWA) as Alternative Fuel Corridors (AFCs).

6. For my day-to-day use, the car works really well for me, and I save money due to lower maintenance cost and not needing to buy gas. However, I occasionally avoid traveling longer distances to avoid the anxiety of needing to find somewhere to quickly recharge my car.

7. I enjoy the comfort of long drives and occasionally look for opportunities to take longer road trips. In April 2024, I planned a trip to Arkansas to visit my family in the area and be in an ideal location to see the solar eclipse at its peak. Under normal circumstances and in a traditional gas vehicle, the trip should take no longer than 16 hours from where I live in Wisconsin. Unfortunately, in my EV, that was not the case.

8. Traveling to Arkansas in my EV was a difficult journey, and it took nearly two days each way to complete. Despite a considerable amount of planning on my part, I ran into challenges along my route. Most EV charging stations I found were not located near any highways I traveled on, requiring significant detours to inconvenient locations such as Walmarts and car dealerships. Even when I found chargers that I had mapped along my route, my options

were limited, and the level 3 chargers that should have provided fast charging did not have a consistent output. Some level 3 chargers could charge my battery to 80% within 15-30 minutes, while others could take an hour or longer. The distance between level 3 chargers was also challenging, and I occasionally had to stop at level 2 chargers with a much slower output to top off my battery in order to reach a level 3 charger. Given the range of my MachE, I had to stop at least four times each way to make the 700+ mile journey.

9. My experience in Arkansas was a cautionary tale about the limits of long distance travel in my EV, given the current state of our nation's EV charging infrastructure. I do not enjoy air travel and would much prefer to drive to visit family in Colorado over the holidays every year. However, until there is a reliable network of charging stations along the route, this will not be feasible. If there were a network of reliable charging stations along the major highways, I would drive my MachE to visit my family. More generally, if there were a network of reliable fast charging stations in Wisconsin, I would travel more often and explore further, more remote areas in the state.

10. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build high-speed electric vehicle charging stations along major highway corridors, including some of the highways that I travel on in Wisconsin and that I would take to drive to my family in Colorado. I also understand that NEVI stations must meet strict reliability standards, which would address my concerns about out of service chargers.

11. I am aware that FHWA froze the NEVI program in February of this year, including cutting off billions of dollars of NEVI funding to the States. I am concerned that because of this funding freeze, Wisconsin and other states have been unable to build new charging stations along the highway corridors I use and would like to use.

12. If FHWA were to resume the NEVI program and its funding, I would benefit from the additional charging stations that would be built along highway corridors in Wisconsin and other states. With this more robust charging infrastructure, I would be able to take longer drives to more remote places in my MachE, experience less wait time for charging, and I'd be able to access charging stations without taking long detours from the highway.

13. I am aware that NRDC is bringing a lawsuit to unfreeze the NEVI funding for EV charging infrastructure along major highways. I support this lawsuit and am eager to see the federal government honor its commitment to invest in building a more robust EV charging network nationwide.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Date: 05/09/2025

A handwritten signature in black ink, appearing to read 'Sarah English', written over a horizontal line.

Sarah English



## **Declaration of David Erb (SACE, Sierra Club)**

### DECLARATION OF DAVID ERB

I, David Erb, under penalty of perjury, declare as follows:

1. My name is David (“Dave”) Erb. This declaration is based on my personal knowledge, information, and belief. I am over the age of eighteen (18) and suffer no legal incapacity. I make this declaration on behalf of the Southern Alliance for Clean Energy and the Sierra Club. I am a member of both.
2. I live in Asheville, North Carolina. I am an automotive engineer and have been an electric vehicle specialist for over 25 years. I also personally own and drive two electric vehicles and am heavily involved with my local electric vehicle club, the Blue Ridge Electric Vehicle Club, which is a chapter of the Electric Vehicle Association.
3. Promoting the adoption of electric vehicles is literally my life’s work. I would like to see my life’s work realized before I die.
4. I understand the Federal Highway Administration has indefinitely suspended the National Electric Vehicle Infrastructure (“NEVI”) Formula Program and may not restore the funds to implement the states’ NEVI plans for the last four years. This concerns me deeply.
5. I had a nomadic childhood, mostly in small towns in Virginia. My father was a forester, and we lived wherever my father’s company sent him. Of all the places I have lived, I consider Roanoke, Virginia the closest thing to home. As the son of a forester, I grew up doing outdoorsy things. I have always cared about the environment.
6. I have loved vehicles, especially cars, since I was little. I love cars, not just for their usefulness, but as cultural artifacts and art objects.
7. Although I was formally trained as an aerospace engineer, I never worked as one. Instead, I had an opportunity out of graduate school to work in the heavy truck business. One of

my company's competitors started promoting fuel economy as a distinguishing feature, so I ended up being my company's lead on our fuel economy work.

8. The focus on fuel economy for heavy trucks was initially driven by our customers' needs—our customers could save money with our trucks. But in addition to the cost savings, fuel economy was seen as a matter of energy security—in the 1980s, there was a strong national effort to reduce reliance on petroleum.

9. From there, I spent some time doing similar fuel economy work for a transit bus manufacturer. While similarly interested in the cost savings and energy security that came with fuel economy, cities that owned the buses were also interested in reducing local air pollution. I worked on a hybrid bus that could use diesel in the suburbs and connect to an electric trolley wire in the city, and on a purely electric trolley bus.

10. After working as an engineer for the manufacturers, I transitioned to academia and spent most of my career as a professor for North Carolina State University in Asheville in the joint engineering program with the University of North Carolina-Asheville, teaching mechatronics engineering and maintaining my focus on electric vehicles. One of my primary responsibilities throughout my academic career was to serve as faculty advisor to student teams building cars to take to contests.

11. I have developed vehicles using numerous types of fuels—diesel, bio-diesel, natural gas, alcohols—as well as electric and hybrid electric power trains, and I quickly put together that electric is the preferable option. In addition to their technical superiority and per mile operating cost savings, there are a host of moral reasons to make the shift to electric vehicles, ranging from reducing global conflict over resources to environmental factors like air pollution and climate change.

12. My wife and I own two electric vehicles—we haven’t purchased gas in six years. I prefer the refined driving experience of electric vehicles. One of the things auto engineers focus on is “NVH”—Noise, Vibration and Harshness—which is the way engineers describe and quantify the sound, shaking, and roughness experienced while driving. Because most of the noise and vibration in gas and diesel cars come from the engines, electric vehicles really shine in comparison.

13. Cost is also important to me. Electric vehicles are cheaper to own because they have lower maintenance and fuel costs. For the bulk of my day-to-day use, I charge my electric vehicles at home, which is very cost effective, especially compared with what I would pay at the pump for a gas car.

14. My wife and I like to take road trips. Three years ago, we took our electric vehicle on a 5,000-mile road trip from North Carolina to San Diego, visiting family and making stops in the middle for a wedding in Tulsa and a conference Albuquerque. Starting in Asheville, North Carolina, we drove through Tennessee, Arkansas, Oklahoma, Texas, New Mexico, Arizona, and California and back. I recently drove my electric vehicle to New York, starting in Asheville, North Carolina, and driving through Virginia, West Virginia, Maryland, Pennsylvania, and New York. I intend to take many more road trips throughout the country.

15. When we’re on a road trip, we need public charging—and not just the slower, Level 2 chargers. We need fast chargers to be available and reliable. Some of the beauties of the NEVI program are the reliability and uptime requirements, which are crucially important.

16. Another essential part of the NEVI program is the siting requirement, which ensures reliable NEVI stations can be found every 50 miles along Alternative Fuel Corridors. When chargers are more than 50 miles apart and not guaranteed to work, we may get stranded if

a station is down and we do not have enough battery to make it to the next station. The NEVI program would fix that problem.

17. I currently travel with both a Tesla Model 3, using Tesla's Supercharger network, and a Chevrolet Bolt, using J1772 CCS chargers. I purchased the Tesla in 2019 primarily because of the Tesla charging network. My other electric vehicle at the time—a Nissan Leaf—didn't have the range to reliably travel long distances without risking running out of battery because of the limited availability of compatible fast chargers. In the future, I would prefer not to buy a Tesla because other electric vehicles suit my usage better.

18. If the NEVI network is completed, I would be able to find a NEVI station every 50 miles for most places I would like to go, and those stations are required to work and accept multiple forms of payment. The NEVI program would expand my access to reliable fast chargers.

19. In addition to improving my ability to find reliable fast chargers on road trips, the NEVI program will significantly increase the visibility of the public charging network—encouraging more people to adopt electric vehicles and helping bring my life's work closer to fruition. Perception is reality. We see gas stations on every corner, but we don't see people charging their cars at home, tucked away in garages. At a Drive Electric event I participated in recently in Hendersonville, North Carolina, most people I spoke with had no idea there was free Level 2 charging at the Ingles grocery store down the street, even though it had been available for more than a decade.

20. The NEVI program will change that. By making public charging more visible, it will shift perceptions and make electric vehicles feel like a real, accessible option for more people. This transition is literally the culmination of my life's work, and it is so close. Yet false

narratives continue to slow progress. NEVI is essential to dispelling those myths and finally completing the shift I and so many others have worked toward for years.

21. Transitioning to electric vehicles is also important with respect to air pollution. I worry about how air pollution from cars affects my health. When COVID lockdowns were in full effect, the change in Asheville's air quality was unmistakable. I could physically feel the difference—in my nose and throat—and it was confirmed every day in the air quality indicators published alongside the weather report. With so few people driving, the reduction in pollution was immediate and undeniable. But we don't have to give up mobility to achieve clean air. We can reach the same improvement permanently through a shift to electric vehicles powered by renewable energy.

22. Resilience is another major reason why this transition matters. After Hurricane Helene, many people in western North Carolina installed whole-house generators. While a generator here or there is relatively benign, when 10 neighbors within half a mile are all running them, the noise and emissions become objectionable. Our local electric vehicle club has focused on showcasing better alternatives. In November, we held a presentation highlighting creative ways electric vehicles kept people going after the storm—powering refrigerators, running popcorn makers and chainsaws, even keeping houses lit. One friend's Hyundai electric vehicle became a lifeline: the Monday after the storm, with most gas stations still down, he used a simple adapter to power his refrigerator before his food spoiled. And because public chargers still had electricity just a couple miles away, he didn't have to go far to recharge. This is what real resilience looks like—quiet, clean, and reliable.

23. Detractors sometimes argue that electric vehicles aren't practical for evacuations during disasters. But the reality is different. If you leave when FEMA and local officials advise,



infrastructure is still operational. And even if you hit power outages, once you get a little farther from the hardest-hit areas, you should find power. With NEVI, expanded fast charging would actually make emergency evacuation easier and more reliable.

24. The economic benefits from electric vehicles for our region are also significant. Western North Carolina's economy depends on tourism, which brings in billions in revenue each year. Making it easier for electric vehicle drivers to visit our rural towns and tourist sites means more money spent locally. We need to help people understand that electric vehicles aren't just for short trips—they can drive across the country if they want to. NEVI expands that horizon and brings money back into my local economy, which benefits me personally and my whole community.

25. National security is a major reason I work to speed the transition to electric vehicles. I have seen firsthand how global conflict and oil price spikes affect both the economy and my own wallet. Calls to “drill, baby, drill” are not real solutions—oil is sold on a global market, and increased U.S. production doesn't protect us from price swings. It often benefits lower-cost foreign producers instead. My commitment to national security runs deep—my father served in two wars—and I believe nearly every major conflict in the last 125 years has been tied to resource competition, especially oil. The ability to generate renewable transportation fuel—with no drilling, refining, or pollution—is revolutionary. But we can't realize that future without infrastructure. NEVI is critical to building a visible, reliable charging network that strengthens our energy independence and reduces our reliance on oil.

26. I am worried about what will happen if NEVI's public investment in electric vehicle charging vanishes. Momentum matters. We can't simply snap our fingers and have 100% electric vehicles on the road. Even if every new car sold today were electric, it would still take

more than 20 years to turn over the entire fleet. We've fought hard to get to just 10% market share, and even a small slowdown now would push the timeline for full adoption out by decades. We don't have that kind of time. Federal funding to states through NEVI is critical because it speeds up adoption at the moment when acceleration matters most.

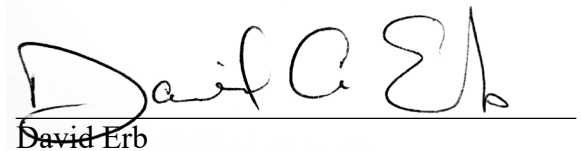
27. I am concerned that if the NEVI program is indefinitely suspended, it will stall the progress I have spent my entire career fighting for. I have devoted my life to advancing electric vehicles because of their benefits for the environment, energy security, and public health. We are finally at the point where the shift is within reach—but losing NEVI funding would slow adoption, delay the buildout of the charging network, and make it harder for people like me to see the future we have worked so long to achieve.

28. My concerns would be addressed if the Court issues an order invalidating the Federal Highway Administration's freeze of the program and requiring the agency to allow states to move forward with spending the funds and implementing their plans for the first four years of the program, which consequently will widen available charging resources and spark electric vehicle adoption, reducing pollution, improving energy security, and slowing the effects of climate change.

29. The Southern Alliance for Clean Energy and Sierra Club fully and adequately represent my interests in this proceeding.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 11, 2025



David Erb

## **Declaration of Naola Fearrington (WERA)**

## DECLARATION OF NAOLA FEARRINGTON

I, Naola Fearington, under penalty of perjury, declare as follows:

1. My name is Naola Fearington. This declaration is based on my personal knowledge, information, and belief. I am over the age of eighteen (18) and suffer no legal incapacity. I make this declaration as a member of the West End Revitalization Association (“WERA”).
2. I live in Mebane, North Carolina, and I serve on WERA’s board. I’ve lived here for 57 years.
3. I’ve raised three children here, and I’ve got 13 grandchildren and one great-granddaughter. Some of them are here in North Carolina, some are as far as Florida and Alaska. My middle son is a psychologist who moved to Anchorage, and that’s where some of his children—my triplet granddaughters—are going to college. I’ve been out there to visit a number of times, and it’s beautiful. I would like to go back. I think a lot about the world my grandchildren are growing up in, and what we’re leaving for them.
4. I first heard about WERA in the 1990s through a friend. There was a buzz going around about a new highway the city was trying to run through a Black neighborhood and even a church. It got my attention. I started going to WERA’s meetings—mostly to listen at first—but I kept showing up, and after I retired about 14 years ago, I had more time to be involved.
5. I believe in community. I believe we’re responsible for each other. And I believe we all belong to God and deserve to be treated with respect. That’s who I am, and that’s why I kept volunteering. I just did what needed to be done—whatever Omega and the group asked, I was there.

6. One of the biggest things I do for WERA is attend public meetings—city council, planning board, DOT meetings—anywhere something is happening that could affect our neighborhoods. Back in the day, we had to fight just to get on the agenda. But we kept going. I’d go, listen, and when something came up that touched on our concerns, I’d speak up. I always say: if you don’t show up, you don’t know what’s going on. And by the time you find out, it might be too late. Just the presence of Black and Brown people being there makes a difference—people see that we’re paying attention, that we care.

7. WERA is dedicated to keeping Black and Brown communities intact and ensuring we have access to the amenities we deserve. I know from personal experience what it is like not to have the basics. Until last year I lived in the Buckhorn community, right off the interstate and not far from the flea market. After the flea market opened, the water in my house changed—it started turning our towels orange from the iron. We had to wash whites at the laundromat and only use dark towels at home. Eventually, a school was built nearby and they brought water and sewer to it. The City of Mebane paid to connect us, and I was grateful, but it took years of pushing, and the siting of a new school, to get it done.

8. Before that, I lived near the Wilsons in the West End. It was a dirt road, and we used to pitch in to buy oil to keep the dust down. We didn’t have paved streets, or city water, or sewers. But we had a strong community. People started organizing, and eventually we got a few things done—paving, replacing wells—but only because we kept showing up and speaking up.

9. Now I live off the new highway bypass. There was a lot of new development by my old house in Buckhorn, and they offered to buy me out last year, so I moved even though I had lived there for decades and raised my family there.

10. The communities WERA serves still need a lot of work—there are places without water and sewer even now. If you’ve always had those things, it’s hard to understand what it means not to. I’ve seen toilets with red water. I’ve seen washers ruined by bad pipes. I’ve lost money doing laundry out because we didn’t have safe water at home. That’s why I care so much about infrastructure—it’s the basics.

11. What’s especially frustrating is that we were finally starting to see progress. Alamance County had been selected to receive a fast-charging station through the NEVI program. Then suddenly, it was taken away. The freeze happened with no warning, no public notice, and no opportunity for someone like me to speak up. After years of being overlooked, we were finally being included—and now we’re back to square one. It feels like a broken promise, and it makes it harder to convince our community that this transition is real and meant for them.

12. The freeze on NEVI funding harms WERA’s work and our community because it delays infrastructure we’ve been fighting to bring to Alamance County. For decades, Black and Brown neighborhoods here have been the last to get paved roads, clean water, and basic services. I’ve lived that reality—hauling laundry to the laundromat because my water turned towels orange, losing money replacing washer hoses ruined by iron, and waiting years for city water. We’ve come a long way, but we still have neighborhoods without water and sewer. Now, we’re trying to make sure this new clean energy infrastructure—EV chargers—doesn’t pass us by too.

13. The NEVI freeze repeats the same old pattern: communities like ours get talked about, but the investment goes elsewhere. We’ve been organizing, attending meetings, and participating in public planning to make sure federal funds don’t just go to wealthier neighbors. If this program doesn’t move forward, I fear those efforts will be wasted—and our communities will be skipped over while other counties keep building. And when that happens, people here



lose—not just access to chargers, but access to jobs. Places like ABB, which makes electric vehicle charging equipment near my old home in Buckhorn, could be impacted. I know people who work there. These are good jobs, and NEVI could help bring more like them. I worry a freeze could lead to layoffs at ABB and other EV-related employers in our county.

14. I've not given much thought about getting an electric car myself because it always felt out of reach. I drive a Lincoln now—it's a nice car, but it's expensive to keep up, and gas prices are hard to believe. If the cost of EVs came down and there were enough chargers, I'd like to switch. But from what I know, there are maybe three or four places nearby I could charge. That's not enough.

15. I would like my children, grandchildren, and great-granddaughter—who live in North Carolina, Florida, and Alaska—to have the option to drive electric cars. EVs cost less to power and maintain, and they're better for the environment. I'd encourage my family to try one if it was affordable to buy and easy to charge. That's why it matters to me that there are chargers along the highways they travel. The NEVI program is supposed to help with that—putting chargers every 50 miles so more people can actually use them. And the more people see those chargers and feel like EVs are within reach, the more people will buy them—and that will help make them even more affordable for families like mine.

16. I think about the long-term effects of the air pollution we live with. I worry about what it means for my health as I get older—and for the health of our children and grandchildren. We're surrounded by pollution from highways, diesel trains, gas stations, and industry. It's constant. I worry that breathing this in every day is setting us up for health problems we can't even see yet. We need real solutions that reduce emissions.

17. People in the communities WERA serves see EVs as something only rich people drive. That's got to change. We need public chargers in regular neighborhoods, near homes and churches and schools. That would help older folks too—people like me who might not drive more than to Greensboro or the beach, but still need to know we can get there and back without worry. Just seeing more chargers in the community and along the highways would help show people in our community that electric vehicles are for us too.

18. The NEVI freeze harmed me personally. It took away an opportunity for Alamance County—our one planned station, which we had started to count on. It stalls a program that would make a real difference in reducing air pollution, which affects my health. It made it harder for me to imagine ever owning an electric vehicle, because I still don't know if I'll be able to charge it. And it made me feel like my voice—and the voices of people in communities like mine—didn't matter. That harm is real, and it's why I want to see this program move forward again.

19. WERA is ready to keep doing the work—educating, organizing, and pushing for what's right—but we need this funding to move forward. If this program continues, we'll be able to help make sure Black and Brown communities like ours don't get left out again.

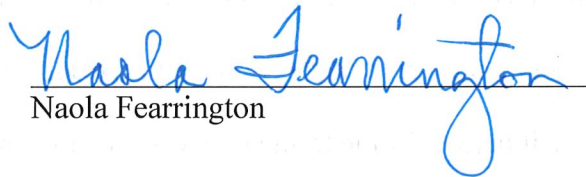
20. If the court orders the agency to lift the freeze, WERA could continue the work we've already started—meeting with local officials, advocating for charger siting in our neighborhoods, and showing residents that clean energy is for them too. It would mean the investments we fought for could finally reach our community. We could help ensure that chargers go to more rural places like Alamance County, not just richer urban areas. And it would give people in our community—especially Black and Brown families—a reason to believe they haven't been forgotten this time.

21. My concerns for myself, my family, and my community would be addressed by an order directing the federal government to lift the funding freeze and allow the states to implement their NEVI plans.

22. The West End Revitalization Association fully and adequately represents my interests in this proceeding.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 13, 2025

  
Naola Fearington

## **Declaration of Robert Frier (Sierra Club)**

**DECLARATION OF ROB FRIER**

I, Robert Frier, declare as follows:

My name is Robert Frier. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgement on the matter.

1. I live in Baltimore, Maryland. I have lived at my current residence for 25 years.
2. I am currently retired but I own commercial real estate.
3. I am a member of the Sierra Club. I have been a member for about 20 years now and have become more active in the last six years. I am on the executive committee of the greater Baltimore group. I initially joined the Sierra Club because I care about the environment, conservation, and preserving open spaces. I am also quite interested in promoting renewable energy and reducing air pollution.
4. I also participate in other environmental and civic activities. For example, I have contributed to the Natural Resources Defense Council, and I am involved with Chesapeake Climate Action Network (CCAN). I am on the board of Civic Works which is a Baltimore based non-profit. I am also on the board of Adamah, which is a Jewish environmental organization.
5. My current full battery-electric vehicle is the 2025 Cadillac Optiq, which is my primary vehicle. Before that, I had a Tesla Model S for 10 years, which I no longer have. I purchased the Optiq because it has a long range, and it has auto-drive features which are



nice and comparable to the Tesla. The Optiq also has new technologies and it is way safer. Part of the reason I bought the Optiq is that I wanted to support GM and its EV program. I also bought it because of its lower fuel costs and environmental benefits compared to a gas car. The vehicle's range is 320 miles at full charge, but I usually only charge to 80% and it has about 260 miles range at that battery level. I have a Level 2 charging station in my garage, where I primarily charge the vehicle. For fast charging, the Optiq has a CCS connector type, but comes with an NACS converter.

6. I use my Optiq for highway travel at least weekly. I most frequently drive on I-83 and 695, which I use on a near-daily basis. At least monthly I drive into Washington, DC and I travel on interstates 695, 295, 395, 795, and 195.
7. I take annual trips to Pittsburgh, Pennsylvania, as well as to New England to visit Cape Cod and Boston, which is where my sons live. When I had the Tesla the access to charging tended to be better and easier with Tesla's Supercharger network, but you still had to be flexible as sometimes a particular site would be fully occupied and you had to drive another 30 miles to get to another one. With the Optiq, fast charging is more challenging. You have to plan out your charging ahead of time. When I drive up to Cape Cod, I have to stop to charge twice. Though the Cadillac has good software and it is possible to use Tesla stations with my adapter, it is not as convenient or reliable and I do more advanced research about station locations and availability than when I had a Tesla.
8. I have used a non-Tesla fast charger in cities, like Cambridge, MA, where I used a station in a parking garage. It was a slower charger, with a rate of closer to 30 miles an hour than versus 200 miles in a half hour or less that is possible with some Tesla superchargers.



9. With the Cadillac I have more anxiety traveling on highways for longer-distance trips.

My annual trip to Cape Cod will take some planning, as well as some back up planning. I will need more information about where to find chargers and locating them may take me off the highway or into shopping mall parking lots. I don't often see chargers other than Tesla chargers on the highway. The lack of fast charging availability limits my ability to drive an EV long distance. I understand the NEVI program would improve the number of stations along highways and the ability for drivers to find them.

10. Though I can theoretically charge the Optiq at Tesla stations using my converter, the

experience is not seamless, and connecting the equipment is clunky because of the location of the charging port, which is forward of the driver in the Optiq and in the Tesla it is in the back of the car. The Tesla charging station has shorter cables so the cord would not reach the forward charging port in my Optiq. I cannot count on Tesla supercharging stations. I am less likely to take longer trips because I am more anxious about taking the trip since it will take me off the highway, and require more planning which will be less convenient going up to Cape Cod or Boston since there are more challenges. If there are reliable fast charging stations I would be more likely to drive on them in my Cadillac Optiq. I am aware that NEVI stations are subject to certain reliability standards, and that CCS-type connectors must be provided.

11. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for Maryland and other states to build EV charging stations along major highway corridors, including those that I travel on, making long distance EV travel more

convenient. I am also aware that the Trump administration paused the NEVI program in February.

12. If funding for the NEVI program was unfrozen and there were charging stations along major highway corridors in Maryland, I would be more likely to drive long distances on highways and take my annual trip to Cape Cod and to visit my sons in Boston, Massachusetts.

13. I understand that the Sierra Club is bringing a suit to unfreeze the NEVI program and release billions of dollars in funding for electric vehicle charging infrastructure along major highways. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 5, 2025.



Robert Frier

## **Declaration of Katherine Garcia (Sierra Club)**

**DECLARATION OF KATHERINE GARCIA**

I, Katherine Garcia, declare as follows:

1. I am the Director of the Clean Transportation for All Campaign at Sierra Club, a position that I have held for over four years. I was formerly the Clean Transportation Policy Advocate at the Sierra Club California Chapter, a position that I held for three years.

2. In my current role, I manage and coordinate Sierra Club's policies and efforts on behalf of its members to advocate for air and climate pollution reductions from our nation's transportation sector. My position requires me to be familiar with Sierra Club's purpose and mission, its activities relating to the transportation sector and to air quality (among other things), and the nature and scope of its membership.

3. Sierra Club is a non-profit membership organization incorporated under the laws of the State of California, with its principal place of business in Oakland, California. Sierra Club's mission is to explore, enjoy and protect the wild places of the Earth; to practice and promote the responsible use of the Earth's resources and ecosystems; to educate and enlist humanity to protect and restore the quality of the natural and human environment; and to use all lawful means to carry out these objectives.

4. Sierra Club has 617,335 active members nationwide, including members in all fifty States, the District of Columbia, and Puerto Rico, according to data last updated as of the end of April 2025.

5. As part of carrying out its mission, for decades the Sierra Club has used the traditional tools of advocacy—organizing, lobbying, litigation, and public outreach—to push for policies and programs that reduce harmful air pollution and greenhouse gas emissions from the transportation sector by expanding access to clean vehicles and the infrastructure needed to

support them; by reducing vehicle miles traveled through improved access to walkable, bikable communities and public transportation options; and ensuring that this work benefits members of all communities.

6. For years, Sierra Club has worked to accelerate the adoption of electric vehicles and reduce the systemic barriers that hinder their widespread adoption and use. A core focus of this work has been improving access to electric vehicle charging infrastructure, including highway fast charging infrastructure for distance travel. Sierra Club has engaged in legislative and administrative advocacy, published technical and policy guidance, and collaborated with public agencies and stakeholders to advocate for robust, reliable, and equitable charging networks nationwide.

7. Sierra Club strongly supported the creation of the National Electric Vehicle Infrastructure (“NEVI”) Formula Program and advocated for its inclusion in the bipartisan Infrastructure Investment and Jobs Act. The \$5 billion formula funding program is critical to ensuring reliable, equitable access to fast electric vehicle charging infrastructure across the country, and to reducing barriers to electric vehicle adoption.

8. Sierra Club has actively engaged in the implementation of the NEVI Formula Program. For example, we submitted comments during the Federal Highway Administration’s rulemaking process to establish minimum standards for NEVI-funded charging stations, as well as in response to FHWA’s request for public input on its NEVI program guidance. In addition, Sierra Club has engaged in numerous state-level stakeholder processes to help shape States’ plans for infrastructure deployment under the NEVI Formula Program.

9. The NEVI Formula Program plays a critical role in enabling broader adoption and use of electric vehicles by funding a nationwide network of reliable, fast-charging infrastructure

along designated alternative fuel corridors. By reducing range anxiety and increasing public confidence in electric vehicle charging accessibility, the program helps accelerate the transition away from internal combustion engine vehicles. Greater electric vehicle adoption, in turn, reduces tailpipe emissions of harmful air pollutants such as nitrogen oxides and particulate matter, improving public health—especially in communities near highways and freight corridors that disproportionately bear the burden of transportation pollution. It also contributes significantly to climate mitigation by lowering greenhouse gas emissions from one of the country’s largest-emitting sectors. Moreover, as a nationwide investment in electric vehicle charging, NEVI implementation presents a vital opportunity to advance transportation equity and ensure the benefits of clean mobility are shared broadly across all communities, including the lower fueling and maintenance costs that come with electric vehicle ownership.

10. The suspension of the NEVI Formula Program harms Sierra Club’s members by delaying the development of the fast charging infrastructure needed to support reliable, long-distance electric vehicle travel and denying Sierra Club members access to that charging infrastructure. Many Sierra Club members either currently own electric vehicles or are interested in purchasing one, but face limitations on their ability to own or complete desired travel in an electric vehicle due to inadequate charging access along major travel corridors. As a result, members have curtailed or modified travel plans, incurred additional costs, or postponed vehicle purchases altogether. These freeze of the NEVI Formula Program frustrates Sierra Club members’ efforts to reduce their transportation-related emissions through the use of electric vehicles, impedes their ability to realize the fuel and maintenance cost savings associated with EV ownership, and exposes them to ongoing harm from vehicle pollution, including heightened health risks from poor air quality.



11. Sierra Club intends to challenge the indefinite suspension of the NEVI Formula Program. If successful, reinstatement of the program will enable continued development of a federally-supported nationwide network of fast, reliable electric vehicle charging stations, as Congress intended. Sierra Club members stand to benefit directly from the expanded access to charging infrastructure, which would enable them to travel more freely, confidently, and safely in their desired electric vehicles. This infrastructure also supports broader electric vehicle adoption and reduces harmful air and climate pollution. If the NEVI Formula Program remains frozen, however, Sierra Club members will continue to face significant barriers to electric vehicle use and adoption, limiting their mobility and delaying critical reductions in pollution.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on May 16, 2025.



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Katherine Garcia

## **Declaration of Sharon Gaskill (NRDC)**

**DECLARATION OF SHARON GASKILL**

I, Sharon Gaskill, declare as follows:

My name is Sharon Gaskill. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live about 25 miles west of Madison, Wisconsin, where I have resided for 42 years, with my husband Warren. We have been slowly becoming more energy efficient and using renewable energy in our home. In 2017 we added a 5.5 kW solar array to provide most of our electricity needs. I am retired from work as a customer service agent for a catalogue company.

2. I have been a member of the Natural Resources Defense Council (NRDC) since 1977. I support NRDC because I care deeply about environmental issues and wanted to support a well led, efficient environmental advocacy organization.

3. We live way out in the country and rely on cars to get around. We have an 11-year-old manual Ford Fiesta, but in February 2023 we decided to get our first electric vehicle (EV), a Hyundai Ioniq 5. We're leasing the Ioniq 5 for three years, and we got it because we wanted to reduce our fossil fuel usage.

4. The Ioniq 5 is now our primary vehicle. The car has a range of around 300 miles, dependent on weather, and it uses a CCS charging port for fast charging. We installed a Level 2 charger at home, which enables us to travel locally with the Ioniq 5 wherever we need to go. The Ioniq 5 has absolutely saved us money on fuel because we do the 50-mile round trip to Madison often, and that journey really adds up in terms of gas. In terms of highway driving, we most often

drive on I-39, I-90, I-94, and I-80, usually to go to Michigan, Minnesota, and Illinois, in addition to local travel. I am aware that I-39, I-80, I-90 and I-94 are designated by the Federal Highway Administration (FHWA) as Alternative Fuel Corridors (AFCs).

5. We like to drive, and traditionally we've taken big road trips around the country. The Ioniq 5 is the perfect size car for a road trip, and we've used it to take some trips. However, we've encountered difficulties due to the lack of EV charging infrastructure along the routes to our favorite destinations, and we've decided not to take certain trips we would've taken if there were sufficient EV charging infrastructure.

6. When we've taken the Ioniq 5 on longer journeys, we often had to drive up to 20 minutes off the interstate to find chargers. This adds significant travel time and inconvenience to our trips. My husband frequently travels to Chicago, but he has found that the fast, Level 3 chargers in Chicago are packed with long lines. Similarly, we've found that there aren't chargers we can conveniently use on our way to Minneapolis. When we've taken the Ioniq 5 to Door County, in northern Wisconsin, which is about 200 miles from our home, there was a severe lack of charging infrastructure. We go to Door County every year, and due to the lack of charging infrastructure, we've felt at risk of being stranded without charge when driving back to Madison in our Ioniq 5.

7. We've also decided not to take road trips we otherwise would have taken, or used a gas vehicle for the trip, due to the lack of charging infrastructure. For example, we don't go to Northern Wisconsin or the Upper Peninsula of Wisconsin as much as we would like to. If there were charging along the highways, we would also go to Indiana and Ohio in our Ioniq 5. Warren likes to do long bike rides with friends in nearby states; right now, he uses our gas car to reach those bike routes, but if there were adequate charging infrastructure, he'd take the Ioniq 5.

Another example is when we went to a wedding in San Diego last December, we would have gladly driven in our Ioniq 5 instead of flying if there was an adequate fast charging network along the major highways.

8. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build high-speed electric vehicle charging stations along major highway corridors, including highways we use, such as I-39, I-80, I-90, and I-94. I also understand that NEVI stations must meet strict reliability standards.

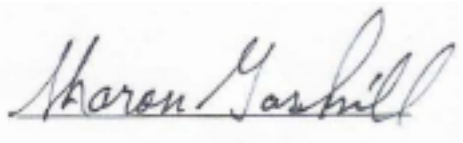
9. I am aware that FHWA froze the NEVI program in February of this year, including cutting off billions of dollars of NEVI funding to the States. I am very concerned that because of this funding freeze, Wisconsin and other states have been unable to build new charging stations along the highway corridors I use and would like to use.

10. If FHWA were to resume the NEVI program and its funding, I would benefit from the additional charging stations that would be built along highway corridors in Wisconsin and other states. With this more robust charging infrastructure, my husband and I would be able to use our Ioniq 5 to take more trips to remote parts of Wisconsin and Michigan for recreation, take longer interstate road trips, and spend less time waiting for chargers and driving off route to find charging stations.

11. I am aware that NRDC is bringing a lawsuit to unfreeze the NEVI funding for EV charging infrastructure along major highways. I support this lawsuit.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Date: 05/10/2025



Sharon Gaskill

## **Declaration of Beth Hammon (NRDC)**



**DECLARATION OF BETH HAMMON**

I, Beth Hammon, declare as follows:

My name is Beth Hammon. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I am a Senior Advocate for Electric Vehicle (EV) Infrastructure at the Natural Resources Defense Council (NRDC). I have held this position since 2023.

2. My work focuses on accelerating the electrification of the nation's transportation sector and facilitating the transition to a cleaner and more affordable electric grid. As part of this work, I monitor state and federal funding programs, support regulatory and legislative reforms, and coordinate advocacy across environmental, consumer, and industry partners.

3. Prior to my current role, I served as a Senior Policy Advisor in the United States Senate, where I worked on energy, climate, and environmental policy. My experience in both legislative and advocacy roles has provided me with a robust understanding of federal transportation and energy programs.

4. NRDC is a membership organization incorporated under the laws of the State of New York. It is recognized as a not-for-profit corporation under section 501(c)(3) of the U.S. Internal Revenue Code.

5. NRDC has hundreds of thousands of members nationwide, including in each of the fifty states and the District of Columbia.

6. NRDC's mission statement declares that the organization's purpose is "to safeguard the Earth: its people, its plants and animals, and the natural systems on which all life depends." Advocating for, and helping defend, programs that reduce dangerous pollution from motor vehicles, and protecting

NRDC members from the harmful effects of air pollution and climate change, are central to NRDC's purpose. Transportation is the largest source of climate pollution in the United States, and reducing this pollution requires not just cleaner vehicles, but also the infrastructure to power them. NRDC therefore works to promote government policies to ensure that the infrastructure necessary for the electric vehicle transition is built on time and at scale.

7. NRDC advocates for policies that support the success of charging infrastructure programs at the federal and state levels. We develop and advocate for concrete solutions to speed up the deployment of EV chargers including pre-building infrastructure, establishing energization timelines, and investing in local grid upgrades that support charging access.

8. A portion of NRDC's work in this area has focused on the National Electric Vehicle Infrastructure (NEVI) program, a \$5 billion federal initiative created under the Infrastructure Investment and Jobs Act to fund fast-charging stations along designated alternative fuel corridors in every state. While NEVI implementation occurs at the state level, it is supported and overseen by the U.S. Department of Transportation and the Federal Highway Administration (FHWA).

9. Before NEVI was passed into law, NRDC advocated for the creation of a national EV charging network as part of its legislative advocacy for clean transportation infrastructure. Once NEVI was passed into law, NRDC and our allies submitted comments to FHWA on the agency's proposed NEVI minimum standards. While NEVI plans were primarily led by State Departments of Transportation, NRDC has monitored and supported the States' NEVI planning and implementation efforts. Perhaps most importantly, NRDC has engaged in complementary proceedings with utilities, public utility commissions, and State energy offices to support NEVI-aligned infrastructure, such as grid upgrades, make-ready programs, and equity access in site selection.

10. On February 7, 2025, FHWA abruptly froze the NEVI program, halting the obligation and reimbursement of billions of dollars of NEVI funding to the States. This decision has disrupted dozens of shovel-ready projects, jeopardized state implementation timelines, and forced developers, utilities, and public agencies into limbo.

11. The NEVI funding freeze harms NRDC's goals related to electric vehicle charging infrastructure. Beyond the immediate impacts to the States' NEVI implementation, the funding freeze undermines broader progress in this area. It sends a signal of federal instability, chills private investment, and burdens States that acted in good faith to implement a bipartisan program. It also risks exacerbating existing disparities in infrastructure access, especially in places where federal dollars are most needed to close gaps.

12. Ensuring that the NEVI program is properly and swiftly implemented and that NEVI funds are not unlawfully withheld from the States is consistent with NRDC's efforts to promote the development of the electric vehicle charging infrastructure necessary for a clean vehicle transition.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Date: 05/13/2025

Beth Hammon

Beth Hammon

## **Declaration of Kevin Heyman (SACE)**

**DECLARATION OF MICHAEL KEVIN HEYMAN**

I, Michael Kevin Heyman, under penalty of perjury, declare as follows:

1. My name is Kevin Heyman. This declaration is based on my personal knowledge, information, and belief. I am over the age of eighteen (18) and suffer no legal incapacity. I make this declaration on behalf of the Southern Alliance for Clean Energy (“SACE”) as a member of the organization.

2. I live in Savannah, Georgia, where my family has lived for centuries. We’ve always been based here, though we’ve lived throughout the Lowcountry and nearby areas. I grew up going to Hilton Head and have always been connected to this region’s natural beauty—live oaks lining the roads, the marshes, and the waterways. I have a dock on my family property and spend time on the water, like I did growing up. It’s a magnificent place to live, and I want it to stay that way—for my children and their children.

3. I am a middle school reading specialist. I work with sixth through eighth graders who have severe emotional and behavioral disorders. I also manage my family’s commercial real estate. I’m married and have two children. My oldest is a student at Duke and my youngest is 16 and profoundly developmentally disabled and medically fragile. His condition shapes our daily life, our travel plans, and our priorities as a family.

4. I’ve always been completely and totally fascinated by clean energy—how it works, how it can be used in our homes and cars, and how it can make a difference. I have planned and cost out installing a small geothermal cooling system on my property, and the energy use will be almost negligible.

5. My commitment to reducing my impact on the planet goes back to my love of nature, which I've had since a child, and to my Jewish faith. To me, it's not just a spiritual idea. God asked us to make the world a better place, and I try to live that out.

6. I got my first electric vehicle, a Nissan Leaf, in 2015. It had an 80-mile range when new but dropped to around 60 miles over time. That made it hard to use for more than in-town trips. I would have kept that car if they had a battery upgrade at the time. I loved that little thing.

7. I moved on to a Tesla in 2020, then bought another after the first one was damaged. I've had three EVs now. Range is the whole deal, and that's why I chose a Tesla. Once you get enough range and access to reliable charging, it becomes a real car—something you can actually use.

8. I have had zero maintenance on my EVs aside from a nail in the tire. That's never been true for any gas car I've owned. My wife drives a gas car that costs about \$1,000 a year in small repairs and quite a bit at the gas pump. I spend nothing on my EV. Charging it at home barely moves the needle on my electric bill—it feels practically free.

9. The only real limitation is the public charging infrastructure. When I had the Leaf, I had to buy a Tesla adapter and a European-style adapter just to make sure I could charge where I needed because most of the chargers were Tesla Superchargers, which were incompatible with the Leaf. That cost money, but it was necessary.

10. I will never buy another Tesla. When I bought it, there were limited options at that price, and nothing was comparable. But now Tesla is no longer cutting-edge technology, and my wife and I no longer support the brand. I'm not sure what kind of EV I will buy next, but it will be an EV because I prefer to drive electric. I've got deposits down on two EVs that are still in



development—a pickup truck from Slate and a vehicle from Aptera. We just need to make it practical by building more reliable, accessible fast charging in the places I like to go.

11. My favorite place to go is Rabun County in northeast Georgia, and we visit regularly. It's absolutely beautiful, but right now I can't take my EV there because there aren't enough chargers. We also travel to Atlanta to visit my aunt and Durham to visit my son at Duke. I understand all these routes are along corridors that were slated to receive National Electric Vehicle Infrastructure ("NEVI")-funded charging stations every 50 miles. I like that the NEVI stations must meet minimum standards to make sure they're reliable, easy to use, and accessible to everyone. If those are built, I could take my EV—my preferred vehicle—confidently on longer trips, traveling on I-95, I-40, I-16, I-75, US 441, and US 23 through Georgia, South Carolina, and North Carolina.

12. NEVI infrastructure would also make a big difference during emergencies, especially hurricanes. I live on the coast, in an area that is extremely vulnerable to severe storms and flooding. With my younger child's serious medical needs, we need to plan ahead.

13. I installed a generator on my property that turns on automatically if the power goes out. It's big enough to charge my car and run essential systems for my son. But if we need to evacuate, and there's not enough reliable charging along my route, I either have to evacuate in my wife's gas car and leave my EV behind, or hunker down and weather the storm. That worries me. I might lose my car in a storm if I have to leave it behind, and sheltering in place is dangerous—especially with my son's condition. But I don't want to be stuck on the road in the EV, potentially sitting for hours in traffic because everyone needs to leave at the same time, with a child who depends on electricity to survive.

14. I would also like for my wife to transition to an EV for her next car, but we hold onto the gas car for this very reason—we need a car we can depend on in an emergency, and until charging stations are more prevalent, we won't feel comfortable going fully electric.

15. If there were more reliable charging stations, I could evacuate in my EV with confidence and peace of mind. That would reduce my stress and give us better options during a storm.

16. I understand the federal government has recently frozen the NEVI funds, and I find that deeply concerning. These funds were supposed to help build the very infrastructure that people like me rely on—chargers along major travel corridors and in places like northeast Georgia, where I want to go but currently can't in my EV. Without those chargers, I have to leave my preferred car behind on longer trips and during emergencies, which creates stress and uncertainty for my family, especially because of my son's medical fragility. The freeze delays progress and leaves gaps in the system we need now—not years from now. It undercuts our ability to plan, travel, and transition to cleaner vehicles safely and affordably. It feels like the rug has been pulled out from under those of us who made the shift early and are just trying to do what we believe is right—for our families, our health, and the planet.

17. A court order restoring the NEVI program and allowing states to move forward with building out their publicly funded charging networks would directly address my concerns. With fast chargers placed every 50 miles along key corridors, I could confidently use my EV to travel to the places I care about and to evacuate safely during hurricanes. It would allow me to rely on the vehicle that works best for my daily needs and aligns with my values, without having to compromise safety, convenience, or peace of mind. It would also make it possible for my wife to finally transition to an EV, knowing that we could count on a functional charging network in

everyday situations and in emergencies. This investment would make clean transportation a realistic option for families like mine and help ensure that EVs are more than just local-use vehicles.

18. I've worked in developing countries, and the thing that separates them from places like the U.S. is infrastructure. Without it, nothing works. Charging infrastructure is no different—it's a public good. The federal government allocated the money for this already. They should follow through. This is how the world is going, so let's get on with it.

19. The Southern Alliance for Clean Energy fully and adequately represents my interests in this proceeding.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 12, 2025



Michael Kevin Heyman

## **Declaration of Michael D. Hiza (NRDC)**

**DECLARATION OF MICHAEL D. HIZA**

I, Michael D. Hiza, declare as follows:

My name is Michael D. Hiza. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Story, Wyoming and have resided in the state since 1990. Four generations of my family have lived in Wyoming. My parents, grandparents and great grandparents are all buried in the cemetery at Buffalo, Wyoming. I am an engineer by education and work in project management for various projects including petrochemicals or refineries.

2. I have been a member of NRDC since 2025.

3. I believe in the work that NRDC does and have followed the organization for a long time. Given my professional background, I had been especially concerned about selenium and arsenic contamination in my state's rivers. I admired NRDC's advocacy to address arsenic contamination and prevent the degradation that exposure to those contaminants can have on public health. I had advocated against the changes proposed by members of the Triennial Commission to change the legal limit of these contaminants in our rivers. In the long term, I'm concerned about issues like this.

4. Due to the nature of my work, I travel quite frequently by car from Wyoming to parts of Montana between Billings and Bozeman. I drive 300 miles round trip at least once a week on I-90, I-25, and a few backroads in both states. I am aware that I-90 and I-25 are

designated by the Federal Highway Administration (FHWA) as Alternative Fuel Corridors (AFCs).

5. I currently own an internal combustion vehicle, but I have been interested in purchasing an electric vehicle (EV) for quite a long time. I nearly bought a used but nearly new Volvo EV last year. The challenge, however, is that there simply are not any EV chargers near my home in Wyoming, and the only ones I know of in Montana are individual chargers in Bozeman and Billings, which are nearly 150 miles apart. Neither of the chargers in those cities appears to be convenient to access. I often travel up to 155 miles in areas with no suitable chargers available. This has raised concerns for me as I considered this. The Volvo I nearly purchased had a range of 220 miles, and I'd heard that EV mileage ranges could be unpredictable during the winter, but likely to lose 30% of its range. This made the security of charger availability an even bigger concern for me. Given the distance I travel for work, I decided I would have to wait until charging became more plentiful and convenient to make that purchase.

6. I anticipate purchasing an EV would be a cost saving measure for me especially in the future when I expect the long-term availability of oil to be in decline. Alongside the reduced cost and greater convenience of charging at home versus buying gasoline, I am excited at the potential reduced maintenance costs that an EV would afford me. I would like to reduce my impact on greenhouse gas emissions from the amount I drive and would like to reduce my reliance on oil and gas. Additionally, having lived through two oil embargos in my lifetime, the uncertainty of the economy has made me concerned about how fuel costs and availability will change in the coming years. There have been periods of time during those past embargos where gas stations near my home simply had no fuel available and I was unable to drive to work.



Purchasing an EV with more reliable charging available would allow me to live free of the anxieties I remember from those difficult periods in my past.

7. If EV charging were more convenient and plentiful, I would expect to purchase an EV. EVs are the technology of the future, and with my concerns about environmental impacts and the reliability of oil, I would be significantly more secure in the future if I were able to make an EV my primary vehicle.

8. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build high-speed electric vehicle charging stations along major highway corridors, including the highways I use to travel to work and recreate. I also understand that NEVI stations must meet strict reliability standards.

9. I am aware that FHWA froze the NEVI program in February of this year, including cutting off billions of dollars of NEVI funding to the States. I am concerned that because of this funding freeze, Wyoming and other states have been unable to build new charging stations along the highway corridors I use and would like to use.

10. If FHWA were to resume the NEVI program and its funding, I would benefit from the additional charging stations that would be built along highway corridors in Wyoming and other states. With this more robust charging infrastructure, I would purchase an EV because I would be able to commute to work without fear of being stranded, including in the winter, and otherwise travel the long distances that are often necessary in the rural location I live in. This would help me save money on reduced maintenance and fuel costs, as well as enable me to drive a car that reduces my environmental impact and oil consumption.

11. I am aware that NRDC is bringing a lawsuit to unfreeze the NEVI funding for EV charging infrastructure along major highways. I support this lawsuit.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Date: 05/21/2025

A handwritten signature in black ink, appearing to read "Michael D. Hiza", is written over a horizontal line.

Michael D. Hiza

## **Declaration of Joan Hoffmann (Sierra Club)**

**DECLARATION OF JOAN HOFFMANN**

I, Joan Hoffmann, declare as follows:

My name is Joan Hoffmann. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Royalton, VT. I have lived in my current home for over 10 years.
2. I am an oil painter. I exhibit and sell my work. I also teach a painting class in California.
3. I am a member of the Sierra Club. I initially joined the Sierra Club in 1963 when I was a teenager. I grew up in southeastern Los Angeles in the 1950s and the Sierra Club was prominent in the area. In those days, I would ride the school bus for an hour each day and could not see from one stoplight to the next because of the smog. I joined Sierra Club in part because I wanted to go backpacking but I was also concerned about air pollution I saw around me. Air pollution has always been on my radar.
4. Having grown up in LA, I know that vehicles are major drivers of high levels of ozone, which can cause asthma. One of my daughters and all of my grandkids have asthma. I take care of my 8-year old grandson Jack and he has serious asthma attacks. They can be frightening. It is hard for him to exercise fully. He has a trampoline and he can jump for 10 minutes but has to take a break once he gets his heart rate up.
5. I have been active with the Sierra Club Vermont chapter since I moved to the state in 2011. I volunteered to help collect information for a report the Sierra Club was

developing on the EV purchase experience at car dealerships. For the report, volunteers called car dealerships to inquire about purchasing EVs. I ended up purchasing a plug-in hybrid Kia Niro in 2020 because of my participation in this report.

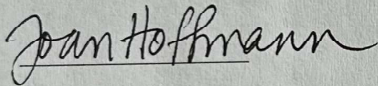
6. The Niro is my only car and my favorite car that I have ever owned. I believe that EVs are the future of driving. I usually charge it with a Level 2 charger. I mostly charge at home but I also use Flo chargers. The Niro has a fully-electric range of 24 miles.
7. I use my Niro on the highway every day, mainly I-89. I drive 10 miles north on I-89 to get to the grocery store and the art supply store. I drive 15 miles south on I-89 to get to another art supply store. I also sometimes drive 40 miles to the state house in Montpelier. I often end up using the gas engine for these trips, even though I would prefer to use the electric battery for cost and environmental reasons.
8. I also use my car for long distance travel. Last summer, I drove to California, where I teach painting classes. I also visited my daughter in Oregon. I would like to visit North Carolina, where I have relatives. Once you leave Vermont, there are fewer charging stations. I have had challenges finding convenient chargers.
9. I would love to buy a fully-electric vehicle but as a person living in an extremely rural area, I don't feel comfortable doing so because of the lack of electric vehicle infrastructure. If the highway charging experience were improved, I would purchase a fully-electric vehicle.
10. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for Vermont and other states to build EV charging stations along major highway corridors, making long distance EV travel more convenient. I am also aware that the Trump administration paused the NEVI program in February.



11. If funding for the NEVI program was unfrozen and there were charging stations along major highway corridors in Vermont, I would buy a full EV and still be able to visit my family in other parts of the country and teach my painting class in California.
12. I understand that the Sierra Club is bringing a suit to unfreeze the NEVI program and release billions of dollars in funding for electric vehicle charging infrastructure along major highways. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on Apr 10, 2025.



Joan Hoffmann

## **Declaration of Barbara Huibregtse (Sierra Club)**



**DECLARATION OF BARBARA HUIBREGTSE**

I, Barbara Huibregtse, declare as follows:

My name is Barbara Huibregtse. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Danville, VT. I've lived at my current address since June 2017.
2. I retired as Vice-President of Pre-Clinical Sciences for a medical device company in 2018. (I was contracted as Director of Business Development at the Cardiovascular Research Foundation from 2018-2020). My husband and I now run a flower farm called Snapdragon Flower Farm. We have been developing our land for pollinators and working with a non-profit organization called Vermont Coverts, whose mission is to educate landowners and others about sound forest management and wildlife stewardship.
3. I have nocturnal asthma. I am aware that high levels of air pollution from gas-powered vehicles can cause asthma and worsen asthma attacks.
4. I joined the Sierra Club in Massachusetts and have remained an active member since moving to Vermont. I'm 61 years of age and I have seen a loss of green space, increased development, and a decrease in air quality over my lifetime. It has been particularly noticeable in my short time in Vermont. There have definitely been more Federal Emergency Management Agency (FEMA)-related incidents in my county (Caledonia) and the neighboring country (Washington), where I was driving 4-7 times a week to care

for my horse. There are many relatively easy steps that we could take to preserve the planet. I see the Sierra Club as an opportunity for collective action through a national organization that can track environmental issues that I might not be aware of otherwise.

5. When I joined the Sierra Club Vermont, they were primarily working on transportation issues. Vermont is rural and transportation is the second major source of climate pollution. I've been doing work with the Sierra Club Transportation Committee, including attending an advocacy event at the State House and publishing a Letter to the Editor of Vermont Digger, a state-wide newspaper. I have been working with the Danville Energy Committee to promote EV (electric vehicle) adoption, by helping organize, promoting, and participating in Danville's first EV fair, to familiarize community members and myself with EV vehicles. I helped bring in a Volkswagen dealer with a Volkswagen ID3, which was available for test drives, and local community members brought their EVs in to talk about their experience with this new technology. My work with the Energy Committee, as well as the improvements in the vehicles in recent years, led me to purchase my own EV.
6. I own a fully-electric 2025 Volvo EX30. I purchased it earlier this year, after previously driving a 2019 Subaru Crosstrek. The Volvo is my primary car. The EX30 has a charging range of about 250 miles in temperate weather, less in colder weather. It uses a CCS charging port for fast charging.
7. For me, an EV completely made sense. Limited charging range is a concern but the EX30 has a range where I can do most of the things I need to. I can charge the car at home and I'm able to complete most of my daily activities, without using a public charger. Given the lack of public chargers on the major highways, I do feel limited in terms of taking

longer trips, but was expecting more chargers to be installed over time, in part due to the passage of the Inflation Reduction Act. I'm not a fan of fossil fuels to begin with but gas prices are going up and as a retired person, it's awesome to not have to pay for gas. We also get a lower EV charging rate from Green Mountain Power (GMP) because they draw electricity from our batteries, using Vehicle-To-Grid technology. I also know that maintenance costs are lower for EVs.

8. I use the EX30 to get groceries, go to the post office, those sorts of trips. I often use I-89, I-91, and I-93, designated by the Federal Highways Administration (FHWA) as Alternative Fuel Corridors (AFCs).
9. This winter, I took my daughter to the train station in White River Junction, 70 miles from Danville on I-91, and have gone there twice since that trip. The car is able to complete the trip when charged to 100% with 15-20% of the battery left upon return, however, more charging options between White River Junction and Danville would be welcome.
10. The first weekend I had the car, I did not have a second level charger from GMP yet and also did not have an NGI outlet to plug the car into. While this first incident was my mistake, my ability to further use the car was compromised by the fact that the local public charger was out of service. I had to drive to the dealer in Shelburne from Danville (53 miles), with the complication of not being able to charge since the initial trip from the dealer, making for a total of 106 miles in the winter. The car made it back with 17% charge left, however, the lack of charging infrastructure is an inhibiting and intimidating factor in terms of use of the car.

11. I have not taken the EX30 on any longer trips since I have gotten it because of the lack of electric vehicle charging infrastructure along I-91 and other AFC routes. I would like to use the car to visit family in New Hampshire, New Jersey, and Delaware. I would like to use the car for outdoor recreation activities as well, such as hiking in the White and Green Mountains, downhill skiing in Vermont and New Hampshire, and attending equestrian events in southern Vermont. I live in the rural northeast corner of Vermont, therefore going to any of these places without a public charger requires a roundtrip range of 100+ miles, and therefore additional charger infrastructure would increase my ability to participate more in Vermont's outdoor recreation economy. Long term, I would like to be able to drive out West in my EV and really see our country, as now that I'm retired I have the time, I just need the infrastructure. While I could go out West in a plane, that would exclude the possibility of seeing the land between airports, as well as being an expensive way to travel both in terms of airline tickets and car rental, as well as expensive in terms of emissions.
12. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build high-speed electric vehicle charging stations along major highway corridors, including highways in Vermont that I would use for those longer trips.
13. I am aware that the NEVI program was frozen by the FHWA in February.
14. If the FHWA unfroze funding for the NEVI program and more charging stations were built along highway corridors in Vermont and other states, I would drive my EX30 to go hiking and skiing in the Green and White Mountains, go to equestrian events, and also go see my brother in New Jersey, my sister in Delaware, and my brother in southern New Hampshire. I would also use it to drive out to the West Coast.

15. I am aware that the Sierra Club is bringing a suit to unfreeze billions of dollars in federal funding for EV highway charging infrastructure through the NEVI program. As an EV owner who would benefit greatly from more charging infrastructure buildout along highways in Vermont and nearby states, I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on April 22, 2025.

  
Barbara Huibregtse

## **Declaration of Douglas Jester (Sierra Club)**



**DECLARATION OF DOUGLAS JESTER**

I, Douglas Jester, declare as follows:

My name is Douglas Jester. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. My primary residence is in Northport, MI 49670, where I have lived since December 2022.
2. I co-own a consulting company called 5 Lakes Energy. We specialize in economic analysis, policy advice, and expert witness testimony concerning clean energy.
3. I have been a Sierra Club member since 1996, because I strongly believe that we need to address both conservation of natural resources and protection of the environment. Sierra Club is a strong organization working on those, so I've long been interested in their work. I am also a member of Leelanau Energy, a small local organization that mostly does projects to advance clean energy, including installing EV charging in the village of Northport.
4. I own a 2022 Ford Mustang Mach E electric vehicle (EV). I purchased my EV principally because I am concerned about the climate and health impacts of vehicle emissions. This is our primary car. We own another car, a hybrid, which my son almost entirely uses. The EV has a standardized range of about 256 miles. It uses CCS fast charging, but we also have a NACS adapter.

5. I charge at home for the largest share, but I do travel regularly between Northport and the Lansing area, and sometimes to Detroit or Marquette, so on those trips I will usually charge at a public charging station. I use ChargePoint, EVgo, Red E, Electrify America, and also Ford's charging network. My EV navigation system recommends charging locations, but these also depend on weather conditions and the location I'm in. On trips to Lansing, I most commonly charge in Cadillac or Mount Pleasant, MI. On trips to Detroit, I would charge in West Branch or Saginaw, MI. And on trips to Marquette, I would charge in Mackinaw City, Escanaba, or in Marquette, MI itself. When I take highway trips, I almost always use the high-speed public chargers along the way, so about six times a month.
  
6. I use my EV for highway travel on average twice a month. I most frequently drive to Lansing via M-22, M-37, M-113, US-110, and US-127; to Detroit via M-22, M-72, and I-75; and to Marquette via M-22, M-72, I-75, US-2, and smaller state highways in Michigan's Upper Peninsula. I also occasionally use my EV for longer distance travel. I have driven to Chicago and back twice, using US-127 and I-94, having to charge multiple times near and off-highways in shopping districts in small towns. This summer, we plan to drive to Minnesota, via US-2, I-41, and some state highways. My daughter lives in Santa Cruz, CA, and we were thinking we might do a cross-country trip with the EV and take our dogs. Unfortunately, although we would like to do so, we won't take that trip this summer, in large part due to limitations of the existing charging network. Because many of the chargers along the route are not high-speed charging, this would add over a day and a half, each way, onto the trip, which is too long for us to be able to travel there and back.

7. Though charging my EV on highway trips has gotten better because of utility programs and state funding to improve the available chargers, there were times when the gaps between charging stations led to close calls of whether we would make it or not, arriving at a charger with two or three miles left of range, having to turn off the heat, radio, et cetera, to conserve the last bit of battery. I have also had to drive out of the way, on the order of thirty or more miles from the intended route, to get to a charger when I needed it. There have been a couple of occasions when the only practical way to make the trip was to find a place to stay overnight with a Level 2 Charger because no fast chargers were available along my route. The biggest issue I have had with charging reliability at public high-speed charging stations has had to do with the payment mechanism not working correctly, and this has happened across different charging network brands I've tried.
8. The lack of availability of reliable chargers along highways definitely affects how often and how I travel in my EV. Though I have made the drive to Chicago and back twice now, I typically try to avoid that drive, especially when I go there for work, because of the challenges with both charging en route and in Chicago. I prefer to travel by car to Chicago, because of the flexibility of travel times by car compared to the alternatives of Amtrak or flying.
9. My son lives in New York City, and when we had an internal combustion engine (ICE) car to ourselves, I would drive there sometimes to visit him, but I have not done so with the EV, largely because of the lack of charging availability, especially high-speed charging availability. I am also generally reluctant to take any trips if there is only one charging location that will enable the trip—there needs to be a backup.

10. When it comes to the current EV charging infrastructure in Michigan, quite a few of the public charging stations have been placed inconveniently. For example, they will be located behind a gas station in a place with nothing nearby, so you can't get a meal while you charge or have anything to pass the time like you otherwise would at a better located charging station. A lot of the locations are just not particularly pleasant, welcoming, or convenient for EV drivers.
11. I know that the National Electric Vehicle Infrastructure (NEVI) program was allocated to states for installing fast charging stations approximately every 50 miles along designated corridors; the standard site has two ports at 150kw and two ports at 350kw; that the program has barely started to install stations because of the time lags of the federal programs and the states developing their plans to gain approvals; and that it was poised to really start to provide benefits for people like me, but that it is now paused.
12. The NEVI program would allow me to make some trips faster than I already make regularly because the charging rates would be higher than what is currently available. If better high-speed charging infrastructure were available, I would start taking long trips by car again, especially longer trips than the ones I take now. I would love to visit my children and drive in my EV to see them in New York and in California, and be able to travel by EV to Chicago more readily. By providing greater charging density along highways, as well as faster charging, I would also make more trips within a day's drive—longer than I do now.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 10, 2025.

A handwritten signature in dark ink, appearing to read "Douglas B. Jester". The signature is written in a cursive, flowing style. The first name "Douglas" is written in a larger, more prominent script, followed by "B." and "Jester". The signature is positioned above a horizontal line.

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Douglas Jester

## **Declaration of Amelia Koch (Sierra Club)**

**DECLARATION OF AMELIA KOCH**

I, Amelia Koch, declare as follows:

My name is Amelia Koch. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Brookline, MA. I was born here and have lived here on and off for 70 years.
2. In the summer, the ozone or smog in Brookline is pretty bad. I'm a runner so I check regularly. I am aware that gas-powered vehicles can cause high levels of ozone. My husband and brother-in-law both have very serious breathing problems and suffer when air quality is bad.
3. I am retired, after a long career in higher education. I was a Vice President for Finance at Berklee College of Music and also worked at Wellesley College and the Rhode Island School of Design.
4. I'm a member of the Sierra Club and have been for the past 10 or 11 years. I came to it because of climate change. I also really like that the Sierra Club is focused on social justice.
5. I am the co-lead of the Legislative Committee for the Massachusetts Chapter. One of my favorite campaigns from last year was advocating for the Massachusetts Department of Public Utilities to make utilities consider repairing or retiring aging grid infrastructure instead of always replacing the infrastructure. This year, we're working on saving



customers money by refusing to let the utility companies charge ratepayers for lobbying and to bring on high-priced consultants for their rate cases.

6. I am also involved with three other organizations that are slightly different: Third Act, Elders Climate Action, 350.org. Sierra Club is far and away where I'm most active.
7. I do not currently own an electric vehicle (EV) but I am hoping to buy one. The other day, I told my investment advisor, "you can't touch that, it's my EV fund." I am drawn to EVs because they cause less pollution. I hate it even when people idle in my driveway. I'm pretty sensitive to air contamination. I can smell it but I can also feel it in my lungs. I want to be able to plug my car in at night, not pay for gas, and reduce my vehicle maintenance and repair expenses. The major reason by far and away is climate change. We can't just continue the way we're going and we have to electrify everything. I want to be a part of that.
8. My husband and I currently share a gas-powered car. One of the main reasons we haven't purchased an EV yet is because we sometimes travel long distances by car and we're very concerned about the ability to conveniently go places with an EV.
9. We want to be able to take our EV to South Dartmouth, Massachusetts, to Alford, Massachusetts, to Vermont, to New York City, and to Washington D.C., mostly to visit family. We would also like to take the EV to western Massachusetts, where we periodically go to stay with a cousin of my husband's to go hiking and visit local rivers.
10. I also want to be able to drive the EV down to lobby a particular state representative whose district is on the South Shore. I want to go down four, five, six times, all summer long. The EV we would purchase would be my car. Right now, if I disappear with our gas-powered car for an entire day, my husband will not be able to move around freely. We

haven't purchased a second gas-powered car because we are saving to purchase an EV when the time is right.

11. I would use Route 24, I-81, I-90, I-95 for many of the trips I mentioned, all highways designated as Alternative Fuel Corridors (AFCs) by the Federal Highways Administration (FHWA).
12. If there were better charging infrastructure along those highways, I would buy an EV.
13. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build electric vehicle charging infrastructure along key highways.
14. I am aware that the FHWA paused the NEVI program in February, freezing billions of dollars in funding for highway EV infrastructure.
15. If NEVI funding were unfrozen and more charging infrastructure was built in Massachusetts and other states, I would buy an EV and use it to visit family in Massachusetts and New York, among other states.
16. I understand that the Sierra Club is bringing a suit to unfreeze NEVI funds and as a prospective EV owner who would benefit from more highway EV chargers buildout, I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on April 21, 2025.



Amelia Koch

## **Declaration of Margaret Kran-Annexstein (Sierra Club)**



**DECLARATION OF MARGARET KRAN-ANNEXSTEIN**

I, Margaret Kran-Annexstein, declare as follows:

My name is Margaret Kran-Annexstein. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. My primary residence is in Denver, Colorado 80204. I have lived there with my husband since March 2021, and we now have a six-month old son.
2. I am the Director of the Colorado Chapter of Sierra Club.
3. I have been a Sierra Club member for several years and I joined because I am passionate about fighting climate change and believe in Sierra Club's strategy of getting everyday people involved in environmental justice issues. I wanted to become the Director of the Colorado Chapter because I believe change will be produced through mobilizing large groups of people at the state level.
4. I drive a 2023 Chevy Bolt EUV electric vehicle (EV). We purchased our EV primarily to be able to travel to the places we love in Colorado while reducing our carbon footprint. This includes trips like visiting our parents in Lyons, CO via Highway 36, and Granby, CO, via I-70 and Highway 40; visiting our friends, via I-25; and going to the mountains and to national and state parks in Colorado, mainly via I-70. We wanted to be able to go to the places that make Colorado beautiful without contributing to the air pollution and climate change that is destroying those places. Also, there were some really exciting tax incentives from the federal Inflation Reduction Act and Colorado state legislation which

helped us save a lot of money and suddenly the EV purchase became affordable. We purchased our EV for less than the cost of an internal combustion engine (ICE) vehicle, and also see major savings on fuel costs.

5. The Bolt is our primary car, but we also have a 2002 Toyota Tundra gas car. The Bolt has a range of about 250 miles. We charge mostly at home using a Level 2 charger. The Bolt uses the CCS type connector for fast charging. We haven't yet bought a NACS converter, but will be getting one. When we charge outside of the home, we use ChargePoint charging stations.
6. We use the EV for highway travel very frequently—at least several times a month. My husband also sometimes uses it to commute via Highway 6. I have never driven the EV outside of Colorado, but I would if charging were more accessible—meaning if there were more charging stations, if they were located conveniently along the highways, and if they charged at a faster rate. I do sometimes use the EV for distance travel, but only in Colorado, going far west on I-70, or visiting towns like Frisco, CO where they have public chargers. However, one of the four chargers was down and inoperable when I tried to charge there once, and I had to move to a different charger. I also had to plan ahead to prepare to spend a long time in town, scheduling meetings while I would work at a coffee shop, for the charger to fully refill the battery.
7. Another time we tried to charge in Idaho Springs (along I-70) and the only charger was broken. We were able to make it to our final destination but it was stressful having to complete the drive without having obtained a full charge.
8. The lack of availability of reliable chargers on highways definitely reduces how often I drive on highways in the EV over long distances on trips I would otherwise take. For



example, we have family in Cincinnati, Ohio, and I would drive on I-70 heading East across Kansas, Missouri, Illinois, and Indiana to get there if more charging was available. We have driven to Cincinnati a few times in a gas car (we had a Subaru Forester until we sold it after purchasing our Bolt) and I imagine we'd have to rent a gas car if we were to do this road trip again.

9. We will definitely go to Cincinnati again in the next year (in September and probably in December) and will likely have to fly.
10. We have also been planning some travel down to New Mexico, and trying to determine if it would be feasible to take the EV there, but at this point we are not sure whether we would be able to. We would also take road trips to more remote parts of Colorado, such as Telluride, CO and Durango, CO, and into Utah, such as to visit Salt Lake City. We also have a trip planned to Washington State this fall that we wanted to use our EV for, but instead we are going to fly there because the trip would be too inconvenient in the EV and we don't want to use our internal combustion engine (ICE) vehicle.
11. A few years ago I drove with my friend from Washington, D.C. to Denver in her Tesla, and this was frankly only feasible because Tesla had a large fast charging network available. I would love for more EVs to be able to do that and have charging access, and not just be limited to one brand of electric vehicles. It seems unfair to not have the access for every EV driver and makes it harder for people to switch over from ICE vehicles.
12. It is so easy for ICE vehicle drivers to hit the road and not even think about where to fill up—you can go out without a plan and always will be fine, whereas heading out on even a one to two hour trip in my EV means that I have to make sure the car is fully charged the day before, that the temperature outside won't significantly reduce the range or vary the

efficiency of the vehicle, and plan out the route in advance. Especially now, having a young child, fear of charging unavailability adds a mental load and I have to take extra precautions when planning to take the EV out on highway travel.

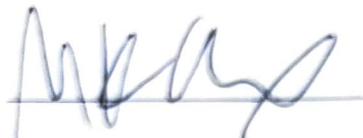
13. The lack of charging along highways definitely causes some anxiety, but it also currently mainly means that it takes some additional planning to map out the nearest chargers ahead of time. We avoid using our ICE car as much as we can, but we have it for necessities, doing house projects, and for its four-wheel drive capability. Otherwise, we use our EV in its place as much as possible, if not public transportation. Knowing that EV chargers would be available across U.S. highways would help me not to worry about having all the correct equipment and plug converters, which would relieve stress around travel, and I would not have to plan so far ahead for trips, which would lift a big logistical hurdle.

14. I understand that Congress made available funding for the states to build out the EV fast charging network along major transit corridors through the NEVI program and that the Federal Highway Administration recently froze the availability of that funding. I support the Sierra Club's efforts in bringing a suit to unfreeze the NEVI program funds and release billions of dollars of funding for EV charging infrastructure buildout along our highways, including those that I frequently travel on and wish to travel along in my EV for longer trips.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.



Executed on May 12 2025.

A handwritten signature in blue ink, appearing to read 'MK Anneksstein', written over a horizontal line.

Margaret Kran-Anneksstein

## **Declaration of Rhett Lawrence (NRDC, Sierra Club)**

**DECLARATION OF RHETT LAWRENCE**

I, Rhett Lawrence, declare as follows:

My name is Rhett Lawrence. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. My primary residence is in Portland, Oregon 92717. I have lived there for almost 24 years with my family.
2. I work for the Oregon Department of Environmental Quality in the Transportation Strategies section.
3. I suffer from asthma. I am aware that tailpipe emissions from motor vehicles are a major source of air pollution, and include gases that contribute to the formation of ground-level ozone (also known as smog), which exacerbates respiratory conditions like mine and can cause other health problems. Full battery electric vehicles (EVs), of course, have no tailpipe emissions.
4. I became a member of Sierra Club around 1990, and used to work for the Sierra Club as well. I have volunteered with Sierra Club since my departure from the organization, such as helping on the political committee a few years ago, and volunteered for many years with the Georgia Chapter in the 1990s in various capacities. I am also a member of the Natural Resources Defense Council. I also previously worked for an EV advocacy organization called Forth. I spend a lot of time outdoors, and sit on a Board for an

organization engaged in work to preserve the Owyhee canyonlands and watershed in Southeastern Oregon.

5. I purchased my first electric vehicle (EV) earlier this year, in February 2025, a 2024 Kia EV 6. It is my primary vehicle, and it has about a 310 mile range. It uses a CCS plug for fast charging but I plan on also getting a NACS converter. We also have a Toyota Prius hybrid as our other vehicle. We purchased our EV to minimize our impact on the planet, and I've been talking about getting one for over a decade. Unfortunately, I feel like our family doesn't have the capacity right now to be without a car, so if I'm going to drive a car, I want it to have the least environmental impact that it can. I went with an EV because the technology has advanced to a point where an EV could be an everyday vehicle, and the charging networks had improved somewhat and there was significant federal funding for new charging infrastructure, including on highways. However, I am now highly concerned that the NEVI freeze and disruptions to other federal EV programs will thwart the further advancements I expected to be made or that they may not be made on the original timeline I expected.
6. I mainly charge my vehicle at Electrify America and ChargePoint charging stations. When I purchased the car, I was given free credits at Electrify America as part of the purchase, so I have been mainly using those for public charging. Otherwise, I am able to access a ChargePoint charger through a Kia dealership nearby my work and charge it there during the day. I have also used free ChargePoint chargers along the Oregon coast right off Highway 101, and free Rivian chargers at Oregon state parks such as Cape Lookout along the coast. I have also charged at a high-speed charger off of I-5 in Eugene, OR. Sometimes, in Portland, all the chargers at a given location are occupied and the rest

are non-functional. Because I can't use the Tesla/NACS network currently, it gives me pause before going on a longer trip because there is not always access to compatible charging where I need or want to go.

7. Since we have only had our EV for about three months, we haven't had too many opportunities to use it for highway or distance travel. We have taken it three times on shorter distance road trips (less than 150 miles each way). We most frequently use the EV on I-5, I-84, I-405, I-205, US 26, and Highway 101. I would love to take the EV down to Southeastern Oregon to the Owyhee canyonslands (about 425 miles) or some excursions in that direction, but the charging in both Eastern and Southern Oregon is pretty paltry, so I am not currently comfortable doing so. I will have a Board retreat in the Owyhee later this year, but will likely be forced to make the drive in my gas-powered vehicle as I have done in the past. It would be fantastic to be able to use the EV and have reliable, high-speed charging access along US 20 going across the state, and US 97 going through Bend, OR and down into California. Currently, I am reluctant to take the EV to those areas due to the lack of reliable fast charging stations. We also travel up to Seattle with some frequency, and would love to be able to go more frequently to Seattle, taking the EV to get there. Some of our friends who are also EV owners recently did a Portland-to-Seattle round-trip drive and had to wait for hours to charge—we don't want to be in that position. Additionally, I anticipate taking trips to Idaho, California, and driving to visit my daughter in college in Minnesota, driving across Montana, Wyoming, North Dakota, and South Dakota. We rented a gas-powered car to deliver my daughter to college last year and will be renting one to bring her back home in May 2025. It would be

much preferable to be able to make those trips in an EV, whether my own or a rental vehicle.

8. If there were a network of reliable fast charging stations along all of the major highways in our area that include CCS connectors, which I understand NEVI stations must include, I would absolutely be more likely to drive on highways in my EV, and would be more likely to take longer trips, as well as take them more frequently, in my EV. I love visiting national parks, and would love to be able to drive in the EV on road trips to Glacier National Park, Yellowstone National Park, Yosemite National Park, and others—but as an EV owner, I’m now no longer confident I will be able to do that with the current charging infrastructure. While the apps are getting better so you can theoretically know which charging ports are working before you get to a station, until the charging network is robust and reliable enough that you can be confident that everything will work ahead of time, be unoccupied and operational, I will remain reluctant to take my EV longer distances and along highways outside of where I live or know there is good charging availability and reliability. In addition to the “range anxiety” you hear about EVs, I also have “charger anxiety.” I understand that the basic standards for NEVI stations include requirements for reliability and data sharing, including info on whether a station is in use, that would mitigate those concerns.
9. I was relying on the infrastructure improvements that I expected from the NEVI program when I decided to make an EV purchase. I understand NEVI would support the deployment of fast charging along the highways where I currently drive, and would like to drive my EV. The expectation of the development of a more robust charging network factored into my decision to make my EV purchase when I did. I feel like there was a

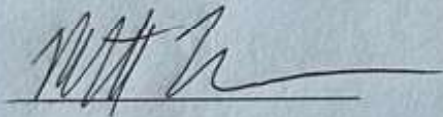


sort-of bait-and-switch that was done on new EV owners like myself who now may not be able to get the charging network they expected when they committed to purchase their vehicles, and I am disappointed in the NEVI freeze and the delays in charging infrastructure build-out that will come of it as a result. I am also concerned that the NEVI freeze will slow the adoption of EVs, thereby prolonging the pollution impacts from gasoline-powered vehicles that can exacerbate my asthma.

10. For all the reasons I stated above, I support Sierra Club's efforts to unfreeze the NEVI funding.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 2, 2025.

A handwritten signature in dark ink, appearing to read 'Rhett Lawrence', is written over a horizontal line.

Rhett Lawrence

## **Declaration of Sue Levene (Sierra Club)**

**DECLARATION OF SUE LEVENE**

I, Sue Levene, declare as follows:

My name is Sue Levene. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Phippsburg, ME. I have lived at my current residence since 2006.
2. I'm a trained engineer and I write software for clients.
3. I am a member of the Sierra Club. I joined the Sierra Club because I enjoy going on outings in nature and wanted to lead outings but that was a slippery slope and I eventually became the volunteer Chapter Chair for Sierra Club Maine. I am no longer the Chapter Chair but I am still involved with Sierra Club campaigns in Maine.
4. I bought a fully-electric 2019 Nissan Leaf in August, 2019. The Leaf is my primary car. It gets about 150 miles of range. Nissan recently offered me a voluntary repurchase order, because of battery fire risk. I plan on accepting the offer and buying a new EV, likely with a NACS fast-charging port and a CCS adaptor.
5. I bought my Leaf and will continue to buy electric vehicles (EVs) because we have to get off fossil fuels and I felt that it was a good thing to do. But what I have found is I'm very sensitive to gas fumes. I've always hated driving and never knew why until I started driving an electric car. I will never drive another kind of car again because I don't feel sick while driving EVs. It's a miracle.

6. I use EVgo, ChargePoint, and many other charging networks to charge my EV.
7. I live off of US-1, designated by the Federal Highway Administration (FHWA) as an Alternative Fuel Corridor (AFC).
8. I would like to use my EV to drive 120 miles north on US-1 to Brooklin, Maine, where my husband teaches, and to Gouldsboro, Maine, where my in-laws have a house. I also have professional clients in Massachusetts and family in Massachusetts and Connecticut who I would like to visit, using US-1, I-95, and I-295, all designated as AFCs. These are all trips that are too far to do back and forth without charging my EV.
9. I would also like to go up north to more rural parts of Maine, like Greenville. It is very hard to get to Greenville, Maine with an EV, because there is not enough electric vehicle charging along the way.
10. I have also had issues with the reliability of chargers. I have often arrived at a charger that doesn't work and it's really frustrating. You end up looking at your dashboard and wondering if you can even make it to the next charger. I really hate it so if I find a charger that's reliable, I tend to plan on going there.
11. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build electric vehicle charging infrastructure along key highways and that those chargers must be operational 97% of the time.
12. I am aware that the FHWA paused the NEVI program in February, freezing billions of dollars in funding for highway EV infrastructure.
13. If NEVI funding were unfrozen and more charging infrastructure was built along US-1 and other main highway corridors in Maine and other states, I would use my EV for long

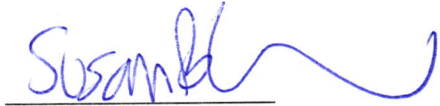


trips to Brooklin, Gouldsboro, Mount Desert Island, and other parts of Maine. I would also use it to visit family and clients in Massachusetts and Connecticut.

14. I understand that the Sierra Club is bringing a suit to unfreeze NEVI funds and as an EV owner who would benefit from more highway EV charger buildout, I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on 4/22, 2025.



Sue Levene

## **Declaration of Joel Levin (Plug in America)**



### **DECLARATION OF JOEL LEVIN**

I, Joel Levin, under the penalty of perjury, declare as follows:

1. I am over the age of 18 and suffer no legal incapacity.
2. I am the Executive Director of Plug In America, a national nonprofit organization that, for more than sixteen years, has worked to accelerate the transition to affordable and accessible plug-in vehicles and charging infrastructure through education, advocacy, and research. Our vision is a transportation future free of fossil fuels.
3. In my capacity as Executive Director, I am responsible for all of Plug In America's operations, including education, advocacy, and publications. I have served in this capacity since 2015.
4. As a national nonprofit focused on electric vehicles ("EVs") that represents the voice of drivers, our core mission is advanced through direct engagement with over a million EV drivers and interested consumers nationwide. We provide real-time support, education, and tools that help people switch to electric vehicles and make decisions that work for their needs—breaking down barriers to adoption, which is central to our work.
5. The people we represent—current and prospective EV drivers who subscribe to our programs, receive our support, and take advantage of our educational tools and research—are our "members" for all intents and purposes. Our board is comprised of people with a direct stake in the national transition to electric vehicles.
6. We support our members through our EV Support Program, in which individuals can call or email us with questions about EVs and charging. This program is a direct expression of our commitment to making EVs accessible and understandable for all and supports our mission of advancing adoption through consumer education.

7. We also routinely collect and analyze data from drivers of electric and gas-powered vehicles alike through surveys, which inform our advocacy and program design by identifying barriers to EV adoption. These surveys of real-world drivers, which guide our work, consistently show that range anxiety, charger availability, and charger reliability are among the top concerns preventing broader EV adoption. Addressing those concerns is at the heart of what Plug In America exists to do.

8. The National Electric Vehicle Infrastructure (“NEVI”) Formula Program, created under the bipartisan Infrastructure Investment and Jobs Act, aligns directly with our mission. We welcomed its passage as a historic step toward equitable, nationwide EV access and considered it a federal affirmation of the work Plug In America has led for over a decade. Its goals—to reduce access barriers and ensure a reliable, coast-to-coast charging network—are the same goals our organization pursues daily.

9. From the outset of the NEVI program, we worked to ensure it would deliver on its promise. In response to the Federal Highway Administration’s (“FHWA”) initial Request for Information, we submitted a 30-page comment covering every element of implementation, including affordability, cybersecurity, siting, equity, and long-term reliability. This is a prime example of how our policy work, which is informed by the needs and concerns of our members, supports our mission—ensuring public investment reflects driver needs and market realities.

10. We partnered with the federal Joint Office of Energy and Transportation, the Federal Highway Administration, and coalitions across the country to shape the minimum standards for charger performance and accessibility. We advocated that chargers must be working, available, and user-friendly—because if they’re not, people won’t make the switch to

EVs. Plug In America's contributions to these standards are directly tied to our mission of ensuring accessible and affordable plug-in charging.

11. In response to questions through our EV Support Program about whether drivers would be getting a NEVI station in their area, we built a public map of proposed NEVI charger locations, giving drivers, communities, and decision-makers a tool to visualize the coming network. This was a critical educational resource that helped fulfill our mission by giving consumers confidence to adopt EVs. The map helped drivers understand how this policy would make their travel easier and made this policy tangible—and with the Federal Highway Administration actions in February 2025 freezing the NEVI funding, it now reflects halted progress, eroding that confidence.

12. The NEVI funding freeze directly harms our members—current and prospective EV drivers—by delaying and potentially eliminating the \$5 billion in charging stations Congress allocated to be built in their communities and along the routes they travel. This freeze undermines their confidence in the future of EV infrastructure, as many of our members were counting on these stations to enable and ease their long-term transition to electric vehicles. The halt in funding prevents our members from receiving the critical benefit that Congress intended, particularly those in underserved rural or low-income areas who face the greatest barriers to EV adoption. The uncertainty surrounding charging infrastructure only heightens anxiety about switching to EVs, further entrenching reliance on fossil fuel-dependent transportation and denying American consumers the choice to drive electric. Moreover, the freeze has economic ripple effects that harm our members, stalling job creation and deterring investment in small and rural communities that stand to benefit most from new charging stations. These communities are not only missing out on opportunities for economic growth but also on the chance to participate

in the clean transportation transition. By stalling NEVI funding, the federal government is not only hindering the adoption of clean energy but also stalling progress toward more equitable, vibrant local economies and a sustainable future for our members.

13. The funding freeze has also deeply disrupted our work. NEVI is about enabling a dependable, nationwide network that reduces cost and expands access.

14. By cutting off funding, chargers become more expensive to deploy, and those costs are passed on to consumers, undermining our mission of affordability.

15. The equity impacts are especially concerning. Without NEVI's requirement to site chargers every 50 miles along designated corridors, rural and low-income areas will be left behind. This perpetuates existing market failures that our work is meant to correct. It directly opposes our mission, which prioritizes charging access for all—not just for high-income, urban EV drivers.

16. States we have worked closely with that were depending on NEVI funds to stand up programs and train staff are now stuck. In Arizona, for example, the state Department of Transportation had to both bring on new personnel and retrain existing staff for NEVI deployment. Plug In America has been a trusted technical assistance provider, helping states interpret guidance and share best practices—because helping states implement charging infrastructure is part of our mission in action. With the funding freeze, those relationships are now at risk as the credibility that Plug In America built with these states through consistent technical assistance and guidance is being undermined. With the funding freeze, the trust and reliability that we established in helping states navigate the complexities of NEVI deployment are in jeopardy. This reputational injury could harm future collaborations and hinder our ability

to effectively support states as they work to implement charging infrastructure that would benefit our members, ultimately affecting the progress toward a clean transportation future.

17. Our educational content—blogs, webinars, direct outreach—explains EV policy and helps everyday people make informed decisions. NEVI is a major feature of that work. We spent months explaining to the public that this network was coming. The freeze forced us to reverse those messages, eroding public trust not only in government but in us as a reliable source of information.

18. Access to reliable, affordable charging is a fundamental need for EV drivers. Our work makes that clear: drivers won't switch unless they can charge when and where they need to, at a reasonable cost. Our mission explicitly includes charging access. The NEVI freeze breaks that promise, limiting people's ability to make the switch and reinforcing the status quo of pollution, inequity, and fossil fuel dependence.

19. We also educate stakeholders on how EV infrastructure supports local economies. Studies show that public chargers bring foot traffic and dwell time to nearby businesses. NEVI had the potential to bring that economic development to rural communities. It's part of our mission to explain and support those community-level benefits—and part of our advocacy to ensure they're delivered where our members live.

20. Plug In America also plays a role in ensuring equitable access to charging infrastructure. Without NEVI, charger deployment will be market-driven alone, which research shows results in charger placement that favors affluent, high-traffic areas. The freeze curbs the federal and state governments' ability to ensure equitable deployment, which our organization has worked for years to secure.

21. More broadly, NEVI provided certainty—a critical factor in large consumer decisions. Our members evaluating whether to spend tens of thousands on a car need to know that the infrastructure will be there. It is central to our mission to ensure that EV drivers can make those choices with confidence.

22. In this sense, the freeze is not just a policy issue for us—it's a breach of public trust that directly harms our members. Plug In America made representations to EV drivers, states, and stakeholders based on what we believed was a stable federal commitment. Undoing that promise undermines all of our efforts and weakens the credibility of the EV transition as a whole.

23. Plug In America's injuries would be redressed by a favorable decision from this court, unfreezing the funds and allowing states to move forward with implementing their state plans.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



Executed on May 16, 2025

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Joel Levin



## **Declaration of Philip Mathieu (Sierra Club)**

**DECLARATION OF PHILIP MATHIEU**

I, Philip Mathieu, declare as follows:

My name is Philip Mathieu. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Portland, Maine (04103), where I have lived with my partner for nearly two years as a renter.
2. I am a data scientist at IDEXX. I have worked there since May 2024.
3. I have been a Sierra Club member since 2021. I joined the Sierra Club because I am concerned about climate change and believe that addressing climate change will require changing laws and policies that go beyond traditional conservation within my community. I am the Conservation Chair of the state chapter. In this role I help coordinate our conservation team of volunteers and assist with strategic planning on anything related to conservation policy. We previously had a 30 by 30 campaign where we had a series of educational podcasts about topics such as infrastructure planning and their intersection with conservation. I am also the Council of Club Leaders (CCL) representative for the Maine Chapter. CCL is a group established in the Sierra Club bylaws that is made up of one representative from each chapter plus a few representing other volunteer entities. I coordinate with other chapters and represent the state at the national level. I am also an approved outings leader for the Sierra Club at the local level.
4. My partner and I currently own two gas-powered vehicles, but we are planning to replace

one of our vehicles within the next few months and are considering purchasing an EV. Since we rent, I would not have at-home charging available and would primarily utilize public charging. We'd like a vehicle that my partner can use for her daily commute to the office, which is about 30 minutes up I-95 to Lewiston, Maine, that I can use for trips around town, and that we can use for long-distance road trips that we engage in and intend to take. We would prefer not to have to use gas or fossil fuels for those trips. The biggest holdup for us in buying an EV is that we don't have very many public chargers in the city of Portland and that there isn't reliable charging infrastructure built out on major highways for us to be comfortable taking long trips in the EV. We are concerned that charging access limitations may force us to purchase a hybrid or even another conventional gas-powered vehicle. Due to these charging limitations, we've looked at the Prius Prime and other hybrid vehicles, but having greater and better access to public charging would ease our concerns in purchasing a fully battery powered EV.

5. I'm interested in purchasing an EV primarily because of the responsibility to the climate and since we are in a financial position to do so. I have a history of asthma and I own an inhaler. I know that high levels of air pollution can cause asthma attacks. A benefit of having an EV is their climate and air quality benefits do not contribute to air pollution which would exacerbate my asthma. I know a lot about car maintenance and engines and I think the desirability of not having to do nearly as much maintenance on a regular basis is very good since EVs have a lower cost of ownership than internal combustion engine (ICE) vehicles. We participate in outdoor activities where having the option to plug stuff into it while parked at a campsite would be something that we're excited about doing in the future. It's also nice that EVs are quiet. Since I live near a busy street, the more EVs

that are on the road, the better our general quality of life is. The lower maintenance and fueling costs of an EV would save me money on a day-to-day basis.

6. I commute on the highway at least twice a week. I frequently drive on I-95 and I-295. My partner's parents live in Syracuse, New York. We drive on I-95, I-495, I-290, and I-90 in Maine, New Hampshire, Massachusetts, and New York to get there. A concern for taking those trips in an EV is the lack of available charging stations. I am concerned if I were to purchase an EV I might be unable to travel to certain places without a more widespread and reliable public fast charger network. We would like to be able to do some road trips to the Midwest. We would take route I-90 through Massachusetts, New York, Pennsylvania, Ohio, Indiana, Illinois to visit family in Minnesota and Wisconsin. We would prefer to make those drives in an environmentally sustainable way. I'm also interested in visiting northern Maine. That's where the Sierra Club chapter is active but I have never actually been up there. It's a charging desert between where I live and northern Maine, so making that trip in an EV would be more challenging.
7. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for Maine and other states to build EV charging stations along major highway corridors, making long distance EV travel more convenient. If this program were to be funded it would greatly reduce my concern about owning an EV and therefore make purchasing an EV a more viable choice, one that I've been waiting to make. If the NEVI program was to be able to build out the chargers we would be buying an EV within the next year.
8. I am also aware that the Trump administration abruptly halted the NEVI program in February. Having this program frozen delays my ability to make a decision in a way that

may ultimately force me to buy another ICE car. The program freeze undermines a lot of the work that we've done in our state chapter to try to boost EV ownership within our state. Transportation is still the biggest source of emissions with the state of Maine.

We're a small state, we have a small population and therefore a small budget. Not having consistent and reliable support from federal programs that have already been approved by Congress is going to have a significant impact on our state's ability to transition to a clean energy future.

9. If funding for the NEVI program was unfrozen and there were charging stations along major highway corridors in Maine, I would buy a full EV within the year and be able to travel daily in Maine and visit my partner's parents in Syracuse and my other family in the Midwest without worry or concern of a charging desert along the way.
10. I understand that the Sierra Club is bringing a suit to unfreeze the NEVI program and release billions of dollars in funding for electric vehicle charging infrastructure along major highways. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 14, 2025.



Philip Mathieu

## **Declaration of Marisa McCurdy (NRDC)**



**DECLARATION OF MARISA MCCURDY**

I, Marisa McCurdy, declare as follows:

My name is Marisa McCurdy. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Elkridge, Maryland, where I've resided for about 11 years. Professionally, I'm a solo practitioner lawyer working with solar companies.

2. I have been a member of the Natural Resources Defense Council (NRDC) since 2021. I became a member because I'm very passionate about environmental issues, and I was always impressed with NRDC's stances and stature in the field of environmental law. Aside from supporting NRDC, I engage with the environment and the outdoors as a mountain bike coach for children, helping with trail maintenance in my community, and doing pro bono work with a local community organization to do a conservation easement.

3. I own three cars: a 2013 Honda Minivan, a 2009 Toyota Prius, both of which use gasoline, and a Kia EV9, an electric vehicle (EV), which I bought at the start of this year. The EV9 is a three row SUV. I had been thinking about purchasing an EV for about a year or two because I want to reduce my reliance on fossil fuels and reduce my environmental footprint from driving. Both of my gas cars were nearing the end of their lifecycles for my use, and it became clear that it was the right time to get an EV.

4. The EV9 has a range of around 300 miles, and it uses a CCS charging port for fast charging. I have a charger installed at home that I usually use for charging, but my intent is to use my EV9 for road trips and use fast chargers.

5. I work from home, so my main day-to-day driving is taking my kids places, which I've started using my EV9 for since buying it. I take the EV9 on highways two to three times a week, mostly on Routes 29 and 40, as well as Interstates 95 and 695. I am aware that I-95 and I-695 are designated by the Federal Highways Administration (FHWA) as Alternative Fuel Corridors (AFCs).

6. I plan to use my EV9 to visit my brother in New York this summer. I also plan to take my son to summer camp in Eastern Maryland. I will need to use fast chargers on both of those journeys, and I'm concerned about the availability and reliability of chargers. I have heard that there can be wait times at chargers, maintenance issues causing chargers to be offline, and a general lack of availability. When I decided to purchase the EV9, I saw that there were more and more chargers being installed, especially on the East Coast, and I was aware that the federal government had passed legislation to fund additional charging infrastructure. My expectation when buying the EV9 was that the availability and reliability of charging infrastructure would continue to improve. I am concerned that the lack of charging will be difficult for my family on long journeys, particularly if we have to wait around for chargers with my children.

7. I anticipate that if there aren't enough chargers available, I might need to take one of my gas cars on certain road trips. However, I don't use my minivan for longer trips, so I would have to use the Prius, which is a much smaller and less comfortable car for road trips. I hope I can avoid using the Prius, but it will depend on the availability of chargers along the routes I plan

to take. If more chargers are built and charger reliability improves, I will take more road trips with my EV9.

8. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build high-speed electric vehicle charging stations along major highway corridors, including the highways I use locally and plan to use to visit my brother. I also understand that NEVI stations must meet strict reliability standards, which should help address my concerns around chargers being out of service.

9. I am aware that FHWA froze the NEVI program in February of this year, including cutting off billions of dollars of NEVI funding to the States. I am concerned that because of this funding freeze, Maryland and other states have been unable to build new charging stations along the highway corridors I use and would like to use.

10. If FHWA were to resume the NEVI program and its funding, I would benefit from the additional charging stations that would be built along highway corridors in Maryland and other states. For example, with this more robust charging infrastructure, I would be able to use my EV9 to visit my brother in New York and take my son to summer camp in Eastern Maryland without stressing that I will have to wait significant lengths of time for a charger. More generally, I would feel more comfortable taking long journeys with my EV9.

11. I am aware that NRDC is bringing a lawsuit to unfreeze the NEVI funding for EV charging infrastructure along major highways. I support this lawsuit.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Date: 05/13/2025



Marisa McCurdy

## **Declaration of Judy Meyer (NRDC)**

**DECLARATION OF JUDY MEYER**

I, Judy Meyer, declare as follows:

My name is Judy Meyer. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. My husband and I live on Lopez Island in Washington, where we have lived for almost 20 years. Prior to moving to Washington, we lived in Georgia when I worked as a Professor of Aquatic Ecology at the University of Georgia.

2. I have been a member of the Natural Resources Defense Council (NRDC) since 2017.

3. As a retired ecologist, I am well aware that our environment is in trouble and am passionate about doing my part to address those challenges. I serve on San Juan County's clean water advisory committee, work with a technical advisory group supporting salmon recovery in the Northwest, and serve on the board of a local land trust that works to preserve land in the county and engage in restoration efforts. Supporting NRDC is an extension of all the work I do in my free time to mitigate my concerns about the environment.

4. Living on an island, I need a car to travel to Seattle and navigate around town. I have owned a gas truck for a long time, but I do not enjoy driving it and have sought alternative vehicles.

5. In 2017, I purchased a Toyota Prius Prime, a plug-in hybrid electric vehicle (PHEV), to mitigate my concerns about the environmental impact of my vehicles, and that car

served my family well. On one charge, our Prius can travel around the full length of Lopez Island.

6. My husband and I have wanted to make an electric vehicle (EV) our primary car for a long time, but we were waiting for the technology and charging infrastructure to develop to such a point where we could feel more comfortable making that purchase. When my daughter and her family moved to Portland, Oregon, we knew that it was time to make a change. Despite charging availability being less than ideal, we wanted to live a fossil fuel free lifestyle, and we decided to purchase a Hyundai Ioniq 5, an EV, since we had a 220-volt charger that could power it from the solar panels on our home.

7. The Ioniq 5 is our primary vehicle now. The Ioniq 5 has a charging range of about 300 miles in temperate weather, and it uses a CCS charging port for fast charging. The car serves us very well in our daily lives and on longer trips. Despite that, charging infrastructure along highways can be a limitation on longer trips, though we expect more chargers to be installed over time from private companies and federal funding.

8. I drive my Ioniq 5 on highways like I-5, designated by the Federal Highways Administration (FHWA) as an Alternative Fuel Corridor (AFC), about once a month. However, I would make longer drives with my Ioniq 5 if there were more reliable charging available. Whenever we travel to Portland to visit my daughter, I am frequently frustrated with the inconvenience of the available public charging networks on my route. Despite traveling down a popular interstate, most of the private Electrify America chargers I rely on are miles off of my route. The detours, and calculation of distance between chargers, is stressful. The few chargers I usually find are in very inconvenient areas, often near shopping centers I'm unfamiliar with, and they don't offer the comfort or security of a traditional gas station where you know there are

other travelers coming and going. Because of this, I often hesitate to travel at night because of my concerns of having to charge in such areas late in the evening. I wish there were charging stations just off the freeway at gas stations or rest areas.

9. A big issue for using our Ioniq 5 more frequently for longer trips is that there is a near complete absence of chargers available between Tacoma and Southern Washington. This frequently makes me anxious when driving along that route. Additionally, while my Hyundai normally provides an average range of 300 miles, in the winter it becomes quite difficult to estimate its range when we're using heat and other resources that can drop its range to anywhere between 240 – 280 miles. This can make it more difficult to find chargers and plan our routes appropriately, and I've had close calls where I thought I might run out of charge. Another challenge is that sometimes chargers near I-5 have a wait of about 30 minutes, and chargers can be out of service.

10. If there were more reliable, fast charging stations along I-5, I would be able to more quickly and frequently travel to visit my daughter in Portland.

11. Better charger availability would also allow me and my husband to explore the outdoors with our Ioniq 5 or another EV. My husband and I love taking long drives and spending time outdoors, including Mount Baker and other places where we can drive offroad, camp in the forests, and go hiking. However, because of a lack of charging infrastructure, we would only do these journeys in a gas car, or we would forego the trips altogether. If there were a more robust and reliable charging network along the highways in our region, we would most certainly be driving longer distances more frequently and consider purchasing an electric truck to use during our camping and off-roading excursions.



12. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build high-speed electric vehicle charging stations along major highway corridors, including some of the highways that I travel on in Washington and Oregon. I also understand that NEVI stations must meet strict reliability standards, which would address my concerns about out of service chargers.

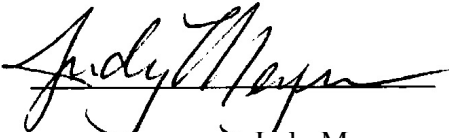
13. I am aware that FHWA froze the NEVI program in February of this year, including cutting off billions of dollars of NEVI funding to the States. I am concerned that because of this funding freeze, Washington and other states have been unable to build new charging stations along the AFCs I use.

14. If FHWA were to resume the NEVI program and its funding, I would benefit from the additional charging stations that would be built along highway corridors in Washington, Oregon, and other states. With this more robust charging infrastructure, my husband and I would be able to more easily, quickly, and frequently drive our Ioniq 5 to visit our daughter in Portland and enjoy outdoor recreation in more remote locations. I would have less likelihood of being stranded without charging, less wait time for charging, and access to charging stations along the highways, rather than miles away from the main road.

15. I am aware that NRDC is bringing a lawsuit to unfreeze the NEVI funding for EV charging infrastructure along major highways. I support this lawsuit.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Date: 05/09/2025



Judy Meyer

**Declaration of Kent Minault  
(Plug In America, SACE, Sierra Club)**

### DECLARATION OF KENT MINAULT

I, Kent Minault, under penalty of perjury, declare as follows:

1. My name is Kent Minault. This declaration is based on my personal knowledge, information, and belief. I am over the age of eighteen (18) and suffer no legal incapacity. I make this declaration on behalf of the Southern Alliance for Clean Energy (“SACE”), Sierra Club, and Plug In America as a member of all three organizations.

2. I live in Knoxville, Tennessee with my daughter, son-in-law, and teenage grandson. All of us drive electric vehicles. I’m a longtime electric vehicle (“EV”) driver and advocate, and I consider myself a stakeholder in our clean energy future—not just as a volunteer, but as someone whose family uses and depends on the infrastructure we’re fighting for.

3. I serve as co-chair of the Drive Electric Tennessee Infrastructure Working Group—a coalition that includes state officials, utilities, and industry—and I also chair the Sierra Club Tennessee Chapter’s Transportation Committee and our local chapter’s political team. Through these roles, I participate in public comment processes, stakeholder meetings, and campaigns to expand EV access.

4. Before moving to Tennessee, I helped organize a Drive Electric event in Watts, a historically underserved neighborhood in Los Angeles. I partnered with Plug In America because so many EV outreach efforts were concentrated in places like Santa Monica, where wealthy people and celebrities already had access. We wanted to bring information and opportunity to communities that had been left out of the EV transition. It was important to show that electric vehicles weren’t just for the rich—that they could serve everyone.

5. I’ve supported Sierra Club initiatives like the “All Our Friends Are Getting EVs” campaign, which encourages people to share their EV stories and build momentum for adoption.

I rely on SACE's policy research, especially their work on NEVI implementation and equitable EV planning, and regularly engage with their staff and publications. Plug In America helped me get my first EV in 2015 by advising me on leasing options and navigating available incentives. All three organizations advocate for EV-friendly infrastructure and policy, and their work directly benefits me as an EV driver and advocate.

6. I've been driving electric since 2015. The decision to switch came while I was pumping gas in Los Angeles and staring at a cancer warning on the pump—California requires that signage. I realized I was standing there, watching the numbers climb, paying to poison myself and the air. It made no sense. I got rid of the gas car and leased a Nissan Leaf. It changed my life.

7. After driving electric for a while, I had a realization. I'd read that electric cars were more affordable than gas cars, but the upfront cost was holding back adoption. But after a year-and-a-half, I saw that was false. State and federal rebates and incentives made the leasing agreement virtually no-cost, and the consequences of getting off gas were a positive windfall. This convinced me to campaign for poor people to have access and experience the economic benefits.

8. Since moving to Tennessee in 2018, my entire household has transitioned to electric. We currently drive a Tesla and two Nissan Leafs. My daughter and son-in-law use their EVs for work, including biology fieldwork in the Great Smoky Mountains. My grandson, who's a teenager, drives to see his girlfriend in Sewanee—100 miles away—using the lower-range Leaf when I don't lend him the Tesla. We also regularly travel across the region and country, and we rely on public fast chargers to make that possible.

9. Public fast charging stations are already part of our lives, and we rely on them to make electric driving possible. My family uses a combination of Tesla Superchargers and non-Tesla networks, but it's far from seamless and not always easy. We still experience range anxiety. The Tesla Supercharger network is not everywhere—especially in more rural areas. When we use non-Tesla stations, we often run into problems. I've had trips where I arrived at a charger with 11 miles left and a tight stomach. There are areas where I might pass 20 gas stations for every available charger. I've gone to charging stations that were blocked, broken, or required confusing apps or memberships just to start a session. More often than not, I need to call the 1-800 support number listed on the charging station to help start my session. This isn't how infrastructure should work in 2025.

10. NEVI helps solve a problem that private companies haven't: a basic, reliable, easy-to-use charging experience. Before I went electric, when I got gas, I would just swipe a card and go. That's not how it works with EV chargers—and it should be. The NEVI Program makes sure there's a charging station every 50 miles on the key corridors I use. It sets reliability, signage, and payment standards—and if we do this right, it'll lift the bar for all chargers, not just the federally funded ones. This is a direct benefit to me and my family.

11. Limited charging availability has a significant impact on how I travel. It restricts my ability to change plans on the fly—something that gas drivers take for granted. If I miss an exit or make a wrong turn, I may not have enough range to correct the mistake and still reach the next charger. If there's a detour, an unexpected bridge closure, or if I need to divert to a hospital during an emergency, I might not make it. Even minor changes, like deciding to take a different route or stay longer somewhere, become stressful calculations. I worry about my family members—especially my grandson—running into these issues as well. When infrastructure is

sparse, one small misstep can mean running out of power and needing a tow. That's not safe, and it's not sustainable for families like mine that rely on EVs.

12. I've already taken long-distance EV trips to places like Maine and Massachusetts, starting in Tennessee and traveling through Virginia, West Virginia, Maryland, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, and New Hampshire, to Maine and back. I also make regular trips across Tennessee and the surrounding region, including to Memphis, and across state lines to cities like Tupelo, Mississippi and Muscle Shoals, Alabama. My route is dictated by where I can find fast chargers on the PlugShare app, and sometimes I have to go out of the way to find a charger or waste time trying to figure out a confusing app or waiting on hold with customer service when I have trouble starting my charging session.

13. I intend to do a big road trip—zigzagging across the country, visiting old friends before it's too late. I'd like to go out west to California to see former acting colleagues in Los Angeles, swing through northern California, and stop on the Navajo reservation in Northeastern Arizona, where I once worked with advocates trying to transition the grid from coal to solar. I'd also like to go back to visit my friends in the Northeast, and up to a friend in Canada.

14. Depending on the availability of fast chargers on the route, I'd start in Tennessee, and head west through Arkansas, Oklahoma, Texas and New Mexico to stop at the Navajo reservation in Arizona, then continue through Utah and Nevada to southern California. From there, I'd travel up to northern California, and then back east through Nevada, Utah, Wyoming, Nebraska, Iowa, Illinois, Indiana, with a brief dip into Michigan. I'd continue through Ohio, Pennsylvania, New York, and Vermont to Massachusetts, and up through New Hampshire into Canada—before returning to Tennessee by way of Vermont, New York, Pennsylvania, Maryland, West Virginia, and Virginia. All told, I would travel through 25 states.

15. I call it my “fantasy trip,” but it’s only possible if the infrastructure is there to support it. I don’t want to spend my last big journey worrying about whether I’ll make it to the next charger.

16. I use PlugShare and other tools to plan these kinds of trips, but things can go wrong—apps aren’t always accurate, chargers may be full or offline, and unexpected events happen. You need charging to be abundant, not just adequate. Emergencies don’t wait for perfect planning.

17. I understand the new administration has frozen NEVI funding, stalling EV charging station projects across the country. That decision directly harms me. My family and I rely on public fast chargers to make everyday and long-distance travel possible. NEVI was supposed to fill the exact gaps that make EV driving difficult—especially along highway corridors where we travel regularly. Without those stations, I will have to avoid certain routes, cancel or modify trips, and spend more time worrying whether my car or my grandson’s will have enough range to reach the next working charger. I already plan trips around charger availability and reliability. With NEVI frozen, the network we were promised may never be completed, or may take too long to help families like mine. Now I worry that I’ll never see it finished—and that I’ll miss the chance to take my last big road trip while I still can.

18. Back in 2024, Tennessee had selected 30 sites for development under Round 1 of the NEVI program, and planned to select more sites in future rounds. However, none of those projects—including multiple on the corridors I regularly travel (I-40, I-75, US 64)—had been obligated before the NEVI funding freeze, meaning they’re now stalled indefinitely. Tennessee also operates a state-funded grant program using Volkswagen settlement money, intended to fill in local and rural charging gaps not covered by NEVI—which focuses on stations within a mile



of alternative fuel corridors. The state designed the program to complement NEVI—not duplicate it—so the funding and site planning were done in coordination. But with the NEVI program now in limbo, there’s no certainty that Tennessee’s original NEVI corridor buildout will move forward as planned. That creates major risks: now state-funded chargers might not end up in the places that need them most. The freeze has introduced confusion and instability into a process that had finally begun to take shape after years of planning, and it threatens to undermine both federal and state investments. This affects me personally.

19. The freeze on NEVI funding isn’t just a bureaucratic hiccup—it tells people like me that our government doesn’t keep its promises. My family and millions of others took a risk by changing how we drive. We did it for our health, for our kids, and for the planet. When you take away the promised infrastructure, you take away the benefit of driving electric. That’s not just inconvenient—it’s disillusioning. It sends the message to young people, like my grandson and his peers, that their future doesn’t matter.

20. One memory that stands out for me was when I used to pick up my grandson from school. I would sit in a long car line with dozens of idling vehicles, all spewing fumes. Children would walk out of school straight into a cloud of exhaust. It was infuriating to watch. My grandson noticed it too. Like so many of his generation, he’s painfully aware of the climate crisis and feels that adults are choosing their own short-term comfort over his future. I see driving electric as a way to show him—and ourselves—that we’re willing to change, to take action, to do better.

21. For me, this is also about patriotism and economic strength. I want to see the United States lead—not fall behind—as the world moves toward clean energy. The NEVI Program isn’t just climate policy; it’s a tool to re-shore manufacturing, create lasting jobs, and

rebuild American industrial capacity. Tennessee is already a major EV hub—Cadillac’s LYRIQ is made here, as well as the Nissan Leaf, the Volkswagen ID.4 and the Honda Prologue, and we produce drivetrains and are developing a battery recycling hub. The state invested my taxpayer money to attract this industry, and if the federal government pulls back now, we risk slowing projects down, triggering layoffs, and missing the return on those investments I helped pay for. Public investment helps ensure that the benefits of the EV transition—whether in mining, or manufacturing—stay here instead of going overseas. China currently dominates the supply chain for critical minerals like lithium and graphite, which are essential not just for EVs but for grid storage and even advanced military technologies. The NEVI Program was shifting this power and opportunity back to America. But the freeze on NEVI funding puts all of that at risk. It harms me personally as someone who has invested in this transition—financially, professionally, and as a father and grandfather—only to face a sudden reversal in the very support we were told to count on.

22. This country can’t afford to walk away. Other nations aren’t. I’ve visited Colombia and am familiar with Costa Rica—places already talking about phasing out fossil fuels and building green economies. Europe has double the EV adoption rate we do because their infrastructure works. If we abandon this program, we risk falling behind permanently.

23. For all these reasons, the freeze on the NEVI Formula Program directly harms me, my family, and the organizations I’m part of. It makes it harder for us to travel, to breathe clean air, to believe in the future, and to participate in the clean energy transition we’ve committed to.

24. A court order vacating the freeze and allowing NEVI funds to flow again so states could implement their existing NEVI plans would immediately improve our lives. It would help

complete the nationwide fast charging network we depend on. It would reduce range anxiety, make everyday travel safer and easier, and ensure reliability at the stations we count on. It would support our local economy, fulfill the promises made to states like Tennessee, and send a clear message that the United States is serious about building a clean transportation future.

25. The Southern Alliance for Clean Energy, Sierra Club, and Plug In America fully and adequately represent my interests in this proceeding.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 12, 2025

  
\_\_\_\_\_  
Kent Minault

## **Declaration of Holly Pollinger (Sierra Club)**

**DECLARATION OF HOLLY POLLINGER**

I, Holly Pollinger, declare as follows:

My name is Holly Pollinger. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Washington, DC 20007 in Ward 3. I have lived here for 53 years.
2. I am now retired, but I previously led a marketing, communications, and public relations firm.
3. When I first moved to DC, the air was not good and the reputation was such that people were concerned about air pollution when moving here. My son had asthma when he was young and he got it when we first moved to DC. I know that air pollution, including the pollution emitted from gas-powered vehicles, can cause asthma.
4. I've been a member of the Sierra Club since 2013. I have been attending meetings since before I became a member. I care about environmental protection and climate change because I have children and teenage grandchildren. I am very very afraid for them. The latter half of my life in DC has been focused on environmental issues.
5. I am an active volunteer with the Sierra Club DC Chapter, working with the EV Charging Committee, the Energy Committee, and the Sustainable Transportation Committee. I follow the efforts of various other major committees.

6. I am the DC Chair for the Climate Reality Project, another environmental non-profit. I am also on the Board of Glover Park Village, a community non-profit serving older adults, where I started Glover Park Village Green, a sustainability initiative.
7. I drive a 2024 plug-in hybrid Toyota RAV4 Prime, which I bought in November 2024. It is my only car. It has a gas engine and an electrical engine with an electric range of 40 miles.
8. I bought it because I am an environmentalist and I thought it was time I drove a car with lower emissions. As an older person, however, I was hesitant to buy a fully electric vehicle (EV) because of the lack of charging infrastructure. I am an older adult and have no wish to be stranded in the dark of night somewhere. I have heard many stories, some funny and some not so funny, of people going on trips and simply not finding a charger before their battery ran out, having to stay in a motel in the middle of nowhere to take advantage of the one charger in town and other tales of frustration and yes, anger, that the promised infrastructure is not moving ahead with all speed. Right here in DC, people sit in their cars doing their work while their car charges because there are only a few chargers in some grocery stores and half the time some are out of order. I have spent hours trying to figure out how to use the various chargers with multiple apps in multiple places in DC, sitting in coffee shops or walking around waiting for a slot to open up and doing all this as a matter of principle since I knew it was always possible for me to fall back on using gas. If DC had the infrastructure it had always planned on, I would be buying a fully electric car, my son and daughter and their children would be buying fully electric. Good for the economy, good for the air we breathe.

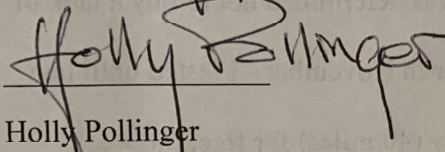
9. If there was better charging infrastructure along major highways, I would absolutely buy a full EV. This is America - we should be way ahead! This is as important as Eisenhower building the highways in the first place! There has to be hundreds more charging stations in every state in the Union, they have to have a very high reliability factor and, of course, the speedier the better - I dream of having my car charged in minutes, not hours.
10. To illustrate my fighting spirit when it comes to charging in the present day while waiting for the country to sprout infrastructure everywhere, I was determined not to buy a tank of gas for as long as I could from the time I bought the car in November - I lasted until late February! Additionally, I filled my battery the other day (40 miles) for free, the week before that for \$3.50 - you do the math with the price of a gallon of gas now up to \$4 and rising! I can't wait until we catch up with other countries "infrastructure-wise".
11. My family owns a cabin in Lake Champlain in the Adirondacks. I visit 2-3 times each year during the summer, spring and fall. It's a 10 hour trip along US-50, I-95, and other highways designated as Alternative Fuel Corridors (AFCs) by the Federal Highway Administration (FHWA). I also go to the Bach music festival in Bethlehem, Pennsylvania every year, also along major highway corridors.
12. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for chargers along major highways, including those that pass through Washington DC and connect it with neighboring states.
13. I am aware that the FHWA stopped funding state efforts to implement the NEVI program in February.
14. If NEVI funds were unfrozen, I would buy a full EV and use it to visit Lake Champlain and Bethlehem, driving along AFCs and using highway fast chargers.



15. I am aware that the Sierra Club is bringing a suit to unfreeze NEVI funding and expand highway EV charging infrastructure. As a Sierra Club member, a driver of a hybrid vehicle, and a prospective EV owner, I support Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 15, 2025.

  
Holly Pollinger

## **Declaration of Anjuli Ramos (Sierra Club)**

**DECLARATION OF ANJULI RAMOS**

I, Anjuli Ramos, declare as follows:

My name is Anjuli Ramos. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. My primary residence is in Lawrence Township, NJ 08648. This July will mark four years living here.
2. I am the New Jersey Chapter Director for the Sierra Club, working as an environmental advocate, prioritizing science and the law.
3. New Jersey (NJ), including the area where we live, in Mercer County, has chronic air pollution and smog. We live close to I-95 and other major roads, where there is a lot of polluting activity and automobile traffic. My son and I suffer from induced asthma, meaning we are not asthmatic but any illness or respiratory irritation, such as air pollution, can induce our symptoms. This makes it harder to breathe, and I have to use an inhaler. My son is four years old and is too little to use an inhaler so he uses a nebulizer and asthma medication when he is suffering from symptoms. These episodes limit my whole family's ability to have a regular day, because he can't go to daycare, my partner and I can't go to work, et cetera. When I was little, growing up in Puerto Rico, I had asthma and it was triggered by the pollution there. As I got older and moved into a more rural area in Puerto Rico, my asthma symptoms went away, but in the last few

years, essentially since we moved to our current house my symptoms have returned. So, I suspect that at least part of the reason I'm suffering from my induced asthma symptoms again is due to the area where we live and its air quality.

4. I first started volunteering for Sierra Club back in 2016, but had to stop because I began working for the New Jersey State Department of Environmental Protection (NJDEP). After I stopped working for NJDEP, I rejoined Sierra Club, this time as a staff member. I have been a strong supporter of Sierra Club for years and a strong believer in their mission. Also, I am a member of the New Jersey Tidelands Resource Council (TRC), appointed by the NJ Governor.
5. In my role as NJ Chapter Director, I work from the very local level up to the statewide and federal advocacy levels. I prioritize environmental protections, climate action, and the protection of public health including protecting marginalized, overburdened communities from pollution. These communities suffer from terrible public health because of environmental and other historical abuses. I also work with elected officials as well as with the state administration, including the Governor's teams, to promote protective environmental policies, laws, and regulations. Professionally, I am an atmospheric chemist, and because of this background, I bring science and common sense policy based on science to the forefront of my work to protect both the environment and people. In New Jersey, our work is based on incorporating the science of climate change and environmental protection into what we do to move forward state policy.
6. I purchased my electric vehicle (EV), a Tesla Model Y, in November of 2024. It is my primary car, and my husband drives a gasoline-powered car. We each drive our own cars

exclusively. My EV has a battery range of 260 miles or more. It uses the NACS, or Tesla, charger, and I also have a CCS charger converter. Because our house is older, we have to do electrical upgrades before I can install an EV charger at home, so I charge my EV entirely outside of our home at public charging stations, typically ones in the neighborhood. I use Tesla, Shell Recharge, EVgo, and Electrify America charging stations.

7. My job requires me to drive a lot all across the state, so I depend heavily on public charging infrastructure everywhere I go. I use my EV for highway travel at least two or more times a week, and mostly drive on I-95, I-295, I-80, I-287, and I-78. I have no preference for a certain brand or operator of charging stations, as long as they are along my route and minimize the travel and charging time—meaning they need to be high-speed chargers, and offer either NACS or CCS plug-charging capabilities. I am committed to a tight schedule for my work travel so having high speed public charging infrastructure is critical for me to get around and to be able to do my job.
8. In New Jersey, I drive quite literally all around the state, and I also travel out of state for work and for leisure with my family. This includes driving long-distance to Albany, NY for work, and Washington, D.C. We also have family in Maryland who we like to visit and we try to take my EV to do so. We like to go on vacation in Upstate New York to the Adirondacks, which is a beautiful but remote area where you just simply don't have the chargers available, so we can't use my Tesla to go up there and have to use my husband's internal combustion engine (ICE) car. We like to go up to the Adirondacks every summer, such as visiting Lake George, and in the winter, up to Lake Placid. We also are planning to go to Maine, but I'm not sure about using my Tesla to go there

because of the lack of available or reliable charging stations.

9. I have had some charging reliability issues. There are often glitches where the charging doesn't activate correctly, or it can't sync with my car. A few weeks ago, I had to pick up my son from daycare after work, and had very little charge in my car and not a lot of time. I drove to pick him up and went to use the public charging station next to his daycare. I knew there were chargers there so I didn't go to charge beforehand, but when I got there none of the chargers at the station would connect to my car, again, because of app issues, and I wasted at least an hour of trial and error trying each of them out. Eventually, I had to go back to a more reliable charging station near our home. The experience of having barely any charge and traveling with my young son was really stressful and frustrating. Because of instances like this, I always map out where I'm going before and charge in advance. Life would be easier if I knew that everywhere I go in major areas and along major roads and highways I would find a public high-speed charging station.
10. In my observation, the availability of charging infrastructure is inconsistent, which is the biggest issue. NJ is a hub for transportation and we have many rest stops. We connect major metropolitan areas like Philadelphia and New York City. As you go up or down the major highways, all the rest stops *should* have charging stations available, but they don't. NJ does have high demand for EV adoption and plug-in hybrids, and if we are going to keep up with that demand—which is a good problem to have—every single place along the highway needs to have public high-speed charging infrastructure. All the many people who commute, use our highways, passing through the state or traveling within it, should have access. This is not just about New Jersey's demand for EVs, but the demand

put on New Jersey by out of state commuters.

11. I am very familiar with the National Electric Infrastructure (NEVI) program because of my job. There was federal funding in order to help states, like NJ, build out their charging infrastructure availability for highway travel in order to propel the clean transportation sector, but the funds have been effectively frozen. This is disappointing, because as a new EV owner, this program was and would be instrumental both directly and indirectly in my life. Directly, because I wouldn't have to plan so much every single time I had to go anywhere, ensuring I would have charging and increased accessibility. Also, if there are more chargers, then you can charge faster because the chargers are less "clogged"—meaning that each car using one of the chargers will charge *faster* because of less strain and demand on the charging station. Indirectly, because the more we incentivize public EV adoption, there will be less air toxics and air pollution from transportation, meaning overall better public health. In a state as heavily trafficked as New Jersey, this is necessary.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on 05/16/25.



Anjuli Ramos



## **Declaration of Jeffrey Robbins (CleanAIRE NC)**

### **DECLARATION OF JEFFREY ROBBINS**

I, Jeffrey Robbins, under penalty of perjury, declare as follows:

1. My name is Jeffrey Robbins. This declaration is based on my personal knowledge, information, and belief. I am over the age of eighteen (18) and suffer no legal incapacity. I make this declaration on behalf of CleanAIRE NC.

2. CleanAIRE NC is a 501(c)(3) nonprofit organization that works to protect the health of all North Carolinians by pursuing equitable and collaborative strategies to address air pollution and fight climate change. We represent thousands of people from communities across North Carolina on these issues.

3. CleanAIRE NC and its members fight for a cleaner North Carolina through policy, advocacy, litigation, education, community organizing, and innovative partnerships. We engage in various forms of advocacy, including educating the public and collaborating with policymakers to ensure all North Carolinians have access to clean air.

4. I am the Executive Director of CleanAIRE NC. I joined CleanAIRE NC in 2022 and have led the organization for about three years.

5. In my capacity as Executive Director, I am responsible for all of CleanAIRE NC's operations. I work closely with my team on executing strategy, overseeing programs and activities, and planning for our organization's future. My priorities for CleanAIRE NC are broadening our support base, expanding our programming, and building new collaborative relationships to promote sustainable development to protect North Carolina's air and climate health.

6. As Executive Director, I am familiar with our membership rolls. We currently have 6,106 members living in North Carolina, and 248 members living outside the state, in

places including Wyoming, Wisconsin, Texas, South Carolina, Pennsylvania, New York, and New Jersey.

7. North Carolina is one of the fastest-growing states in the country. This growing population adds more vehicles to our roads, worsening the quality of our air and emitting climate-warming pollution. In fact, carbon emissions from the transportation sector are the leading cause of climate change in North Carolina. Traffic-related air pollution also disproportionately affects people of color and low-wealth areas. The pollutants from vehicles—fine particulate matter (PM 2.5) and nitrogen dioxide (NO<sub>2</sub>)—enter our lungs and bloodstream, posing serious health risks. Poor air quality exacerbates four of the five leading causes of death in North Carolina—heart disease, cancer, COVID-19, and stroke. It contributes to asthma and other chronic respiratory diseases. In addition to directly causing and exacerbating illness, traffic-related air pollution also traps heat, intensifying both health and climate impacts. Children, the elderly, and people with preexisting conditions are especially vulnerable.

8. In contrast, electric vehicles produce zero tailpipe emissions, which means they significantly reduce exposure to dangerous pollutants like PM 2.5 and NO<sub>2</sub>—especially in areas near busy roads and freight corridors. Electrification is one of the most effective strategies for addressing the health and climate impacts of the transportation sector. Advocating for clean transportation alternatives to improve North Carolina's air quality and reduce our climate impact is therefore a major priority of CleanAIRE NC. To support this work and advance our mission, we seek to leverage federal funding opportunities that allow communities to be a part of the clean transportation transition.

9. As with all of our work, our clean transportation advocacy starts at the community level, where we collaborate with community members to address their local transportation

priorities and concerns. Over the past year we have held community meetings to collect input from North Carolina residents on our transportation system. Residents have repeatedly identified installation of green transportation infrastructure as a top priority.

10. Many of the communities we work with have historically been left behind in the environmental movement. Implementing electric vehicle charging stations, with federal support, would allow communities to embrace a cleaner and more sustainable future, while simultaneously providing significant health and economic benefits. We have had members who live in areas cut off by highway construction in the 1960s and 1970s express excitement about installing electric vehicle chargers along those same highways to improve local air quality and bring visitors to their area. And in rural locations, members see installation of charging infrastructure as a way to create a destination for visitors—incentivizing folks who normally wouldn't visit their town to stop and participate in the local economy.

11. CleanAIRE NC has been actively engaged in shaping North Carolina's clean transportation policies. We participated in the implementation of Governor Cooper's Executive Orders 80, 246, and 271, which set ambitious goals for reducing greenhouse gas emissions and increasing electric vehicle adoption across the state. Our organization was a stakeholder in the development of the North Carolina Clean Transportation Plan, which relies heavily on National Electric Vehicle Infrastructure ("NEVI") funding to build out EV charging infrastructure along designated corridors. We engaged in comment opportunities and meetings with our partners to ensure the plan was equitable and effective.

12. In alignment with our commitment to environmental justice, CleanAIRE NC served as a Justice40 partner, working to ensure that federal investments from the Infrastructure Investment and Jobs Act (IIJA) reached historically underserved Black and Brown communities.

We facilitated community engagement sessions and provided technical assistance to help these communities access funding opportunities for projects, including clean transportation.

13. CleanAIRE NC also played a pivotal role in advocating for the adoption of the Advanced Clean Trucks (“ACT”) rule in North Carolina, and even received a grant to specifically support this work. The ACT program aimed to require manufacturers to sell an increasing percentage of zero-emission medium- and heavy-duty vehicles, thereby reducing harmful pollutants and promoting cleaner air. Unfortunately, in October 2023, the North Carolina legislature enacted a budget that prohibited the adoption of state or regional emissions standards for new motor vehicles, effectively halting the ACT rulemaking process.

14. Following this legislative setback, CleanAIRE NC pivoted our efforts under the grant to focus on alternative clean transportation initiatives. We joined Forth Mobility’s Towards Equitable Electric Mobility (“TEEM”) Community of Practice, a multi-state initiative that brings together advocates to share policy goals, build capacity, and advance racial equity in electric mobility. Through TEEM, we collaborated with organizations across North Carolina to develop strategies that ensure equitable access to electric transportation options for all communities.

15. As a result of all this work, CleanAIRE NC identified the NEVI Program as a key federal funding source that can be used to advance green transportation infrastructure in residents’ communities, both urban and rural. We incorporated the availability of NEVI Program funding into our strategic workplans and had begun the work to identify strategic locations for installation of NEVI Program-funded electric chargers. This included holding mapping sessions and then smaller working sessions in communities with a lot of interest in installing a charging station. Our goal was to advocate for North Carolina to include the charging station locations we had identified in North Carolina’s NEVI Plan. We also had initiated work to help organizations

and communities apply for NEVI Program funding that had been made available to North Carolina. Ensuring the NEVI program comes to fruition is core to advancing our mission, both in terms of reducing climate and air pollution and securing equitable investment in the communities that need it most.

16. Our communities are very enthusiastic about the benefits of installing electric vehicle charging stations, but we work with many disadvantaged communities whose members feel generations away from being able to afford a personal electric vehicle. To solve for this problem, we recognize that we also need to work to increase the overall adoption rate of electric vehicles to drive down their purchase price and to create an accessible used electric vehicle market.

17. Increasing adoption rates starts with building out our charging infrastructure. The lack of a network of standardized and reliable electric vehicle chargers is currently one of the biggest impediments preventing folks—including our members—from investing in an electric vehicle. I have had countless conversations with people I work with, my friends, and my family about their “range anxiety.” They are concerned that if they invest in an electric vehicle, they won’t be able to find charging stations when they travel. This is everyone’s main worry.

18. I have experienced range anxiety firsthand. I love the gas savings of the hybrid vehicle I currently drive, so I would love to purchase an electric vehicle. But I travel all over the state for my work, and North Carolina’s current charging infrastructure does not allow me to get to all the places I need to be. Having standardized and reliable charging stations located along North Carolina’s designated Alternative Fuel Corridors, which I travel frequently, would allow me to purchase an electric vehicle. CleanAIRE NC’s members have the same needs.

19. I understand the Federal Highway Administration has indefinitely suspended the NEVI program nationwide. The indefinite suspension of NEVI funding directly frustrates CleanAIRE NC's mission to promote equitable clean transportation and reduce air pollution in underserved communities.

20. CleanAIRE NC is harmed by the freeze because it thwarts our efforts to bring more electric vehicles onto the road by removing the only public funding source available to support a national network of charging infrastructure. We had been pursuing a variety of solutions to increase electric vehicle adoption, like working with cities to convert school buses and work trucks to electric, connecting businesses with manufacturers to replace their fleet of cars with electric vehicles, and establishing electric vehicle ride-sharing programs. We worked to pursue a particularly innovative program in Charlotte, where electric city vehicles would be made available for community members to use at night. None of these solutions work without an adequate electric vehicle charging infrastructure to support them.

21. We are harmed by the funding freeze because we rely on the availability of NEVI funding to make possible the charging infrastructure projects we need to accomplish our transportation electrification goals. However, the Federal Highway Administration's indefinite freeze of NEVI Program funding has forced us to put our planning and advocacy on hold. We cannot, in good faith, encourage our members to purchase EVs or seek their input on public charging locations when no public funding is currently available to build them. Suspending NEVI funding undermines the goals and implementation of North Carolina's Clean Transportation Plan, which is critical to meeting the state's emissions targets. Without NEVI, North Carolina lacks any alternative public funding source to support a statewide EV charging network, especially considering the enormous financial resources still needed to rebuild Western



North Carolina after Hurricane Helene last fall. As a result, our members are harmed because they are left waiting on private industry to fill the gap—despite clear evidence that those investments rarely reach rural and historically underserved communities, which are often overlooked in favor of wealthier, urban markets.

22. In addition to the funding freeze, we are harmed by the Federal Highway Administration’s lack of transparency in rescinding its NEVI Formula Program Guidance, all State NEVI plans, and the availability of all NEVI Program funding not yet tied to a specific project. Unelected officials cannot make unilateral decisions that affect millions of people with no public forum or dialogue, or opportunity to comment. Congress appropriated these funds to the states, and the Federal Highway Administration must allow the states to spend the money as Congress intended.

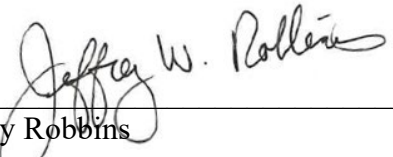
23. CleanAIRE NC often engages in the federal government’s regulatory decision-making process, but was not given an opportunity to comment on the NEVI Program funding freeze. This has undercut our ability to advocate for clean air policies and solutions on behalf of CleanAIRE NC’s members and in accordance with our organization’s mission to address air pollution and fight climate change.

24. In reliance on the availability of NEVI Program funding, a significant portion of our work in the past year has been dedicated to making electric vehicle infrastructure accessible to North Carolina communities and to increasing the adoption rate of electric vehicles overall. The Federal Highway Administration’s decision to freeze NEVI Program funding, made without any public input, has halted our work, preventing us from fulfilling our mission to improve the air and climate health of North Carolina on behalf of our members.

25. The injury to CleanAIRE NC and our members would be redressed by an order from this Court granting the Plaintiffs the relief they have requested, directing FHWA to lift the NEVI Program funding freeze and allowing states to implement their existing NEVI plans without delay.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 12, 2025

  
\_\_\_\_\_  
Jeffrey Robbins

## **Declaration of Ronald Ross (CleanAIRE NC)**

### **DECLARATION OF RONALD ROSS**

I, Ronald Ross, under penalty of perjury, declare as follows:

1. My name is Ronald Ross. This declaration is based on my personal knowledge, information, and belief. I am over the age of eighteen (18) and suffer no legal incapacity. I live in Charlotte, North Carolina. I make this declaration on behalf of CleanAIRE NC as a volunteer member of the organization.

2. My family relocated to Charlotte, North Carolina when I was seven, after my father retired from the Army. Charlotte was my mother's hometown and the place where my mother and father met. I was in second grade and attended Fairview Elementary, the same elementary school as my mother. My school was comprised of 100 percent black children, teachers and administrative staff. It immediately stuck out to me at this early age, that everyone was the same color and that something was different about my new community.

3. I remember asking my mother where all the other kids were? I had spent the first seven years of my life on military bases, at home and abroad, around kids of all different backgrounds. I had never considered the races or ethnicities of my childhood friends while playing and going to school together. Attending school in Charlotte was my first introduction to and experience of segregation. I remained in this segregated school system until the tenth grade, when Charlotte in the late 1960s started mandatory bussing of students.

4. I also experienced segregation outside my school system. One memory that stands out is going to a Chuck Berry (the famous rock and roll guitarist and singer) concert as a little tyke. I had to sit up far away from the stage in the balcony bleachers to watch someone of my own race perform, whereas the white folks who attended got to sit in the prime seats on the floor level.

5. While my parents had vehicles, I learned that living in the south as a Black family meant that there were certain areas, stores, and basic city amenities that we could not frequent. As a young boy, I was disappointed and did not understand why we could only go to certain places in Charlotte and had to stay within the boundaries of our community. Why did we not have the same privileges

6. Through elementary school, I walked to school. School was maybe a few blocks away, and the neighborhood kids and I used to cut through the woods to play in the creeks and look at the frogs and fish.

7. But in the 1960s, when I was in junior high school, the federal government began imposing their urban renewal program on Charlotte. I saw the government tear down and decimate Charlotte's Black communities, including the neighborhood that I called home—Greenville. Black residents were forced to move elsewhere. This injustice has stuck with me throughout my life.

8. When I was just a little kid, I watched a bulldozer demolish my grandparents' home. This was a really devastating experience to see and makes me very emotional until this day, when I think and speak about it. My grandparents had their home built in the 1920s. The home was owned free and clear in the 1960s. Due to eminent domain and the Federal Government mandated program Urban Renewal they had to accept whatever money the government offered them. The government's payout was not sufficient—my grandparents had to secure a mortgage loan to be able to purchase another home. The home that was purchased was not comparable to the two-story home brick that was owned.

9. It was during this same time that the government began building highways through and over Charlotte's Black communities. This work displaced residents, many of my

childhood friends whom I have never seen again and contributed to cutting off access between our communities. As a result of highway construction, I lost the ability to walk to school, and enjoy the trees, creeks, and wildlife. The natural environment that I grew up playing in disappeared.

10. I left Charlotte once I graduated high school. I moved out to California for 30 years, attending school and working. In California I experienced more highway construction, and smog from all the vehicle traffic. I became more aware of the problems associated with highways and air pollution.

11. My parents remained in Charlotte, and I traveled back every year to visit while living in California. Eventually, I moved back to Charlotte permanently to assist with caregiving of my mother and my aunt. I initially traveled frequently for work, but later stepped away from working full time as my caregiving duties increased. As I spent more time in Charlotte taking care of my relatives, I became more ingrained in the community. I live in Northwood Estates part of Charlotte's Historic West End located along the Beatties Ford Road Corridor community, one of the few predominately Black communities that survived the urban renewal projects of the 1960s and 1970s.

12. I started paying attention to things that I didn't notice as a kid. I thought about the freeways abutting our communities and the car and truck emissions that resulted from the constant vehicle traffic. The Historic West End is surrounded by major highways—I-77, I-277, NC 16 and has been negatively impacted by freeway expansion construction for increased vehicular traffic. I thought about the streams I used to play in as a kid and became concerned about the quality of our water, excessive flooding and pollution in our neighborhood creeks. I

thought about the heavy concentration of industry in West End, including a rock quarry that causes dust to settle over our homes.

13. Air and water pollution were my primary concerns, so I became engaged in these issues by seeking opportunities to learn with Johnson C. Smith University, a local Historic Black University, the Catawba Riverkeeper, and CleanAIRE NC (formerly, Clean Air Carolina).

14. I joined CleanAIRE NC around 2016 and became attuned to the air pollution problems in the Historic West End, a result of high levels of vehicle traffic and industrial facilities in the area. Folks in my Historic West End neighborhood suffer from higher rates of asthma and health problems commonly linked with vehicle emissions. I am concerned about small children playing outside and pregnant mothers being exposed to high levels of pollution, affecting birth rates, the health of their babies, and well-being of our senior citizens.

15. I am also concerned about my own exposure to air pollution. I enjoy being outdoors, and my primary mode of transportation is an electric bike, which means that every time I travel somewhere, I am breathing in the ambient air. I have noticed that on days when the air quality is poor that I can experience shortness of breath. I had a stent put in my heart a couple years ago, so I am particularly sensitive to air pollution, and need to be cautious about my exposure. As a result, I wear a mask when I ride my bike to help filter out some of the pollution, and on the worst days, I don't go outside.

16. To address my concerns for my personal health and the health of my neighbors, I helped to create the Historic West End Green District to monitor local air pollution, educate my community about their air quality and ways to reduce harmful pollutants with green infrastructure and utilizing alternative transportation. In collaboration with CleanAIRE NC and other members of my community, we began reviewing our local air quality, installing sensors to



collect air quality data, and educating the community about the impacts of traffic and industrial emissions on their health.

17. Much of my advocacy centers on making community members aware of air quality problems in the Historic West End and educating them on precautions they can take to mitigate negative impacts of this pollution. I instruct community members to check the air quality index and the real-time data collected from the air monitors we have placed around their community when they wake up each day. On days when the air pollution is high, I encourage my neighbors to stay inside and the nearby schools and daycares to limit the kids' outdoor recreation time. I stay inside too. Because my primary mode of transportation is by bike, there are days where I cannot run basic errands, such as getting groceries, because of high levels of pollution in the West End.

18. My data collection efforts with CleanAIRE NC showed that the Historic West End suffers from higher levels of air pollution than compared to other Charlotte neighborhoods. This is in large part due to emissions from cars and trucks along the highways that surround the West End. These traffic emissions come directly into our community, making our air harder to breathe. There are also many truck stops located in close proximity to the Historic West End neighborhoods, where trucks idle and add even more pollution to the air. Compounding the traffic pollution is the dust from the rock quarry and emissions from other industrial sources within my neighborhood.

19. I was able to present the air quality data collected by myself and other CleanAIRE NC members to government leaders to demonstrate the disproportionate air pollution burden that the Historic West End faces. As a result, we secured installation of a permanent, federally maintained, air quality monitor in the community. This monitor measures particulate matter

(PM2.5), fine particles that cause negative health impacts to the lungs and bloodstream. Gas-powered vehicles are a major source of PM2.5 pollution.

20. In addition to my work to better document and understand air pollution in the Historic West End, I work to promote policy changes and solutions to reduce harmful air pollution and improve community health. One solution we have worked to promote is constructing sound barriers and a tree canopy along the highways surrounding our neighborhoods. This helps reduce the sound pollution we experience from incessant traffic, and the vegetation serves as a natural filter for air pollution being emitted from vehicles on the highways. I would like to also see the plants and trees installed as a way to honor the residents that were forced to relocate when these highways were built; they represent their survival and the need to breathe good, clean air.

21. Widespread adoption of electric vehicles is another critical solution I have worked towards with CleanAIRE NC to combat traffic pollution in my community. Because the Historic West End is more impacted by vehicle traffic than other neighborhoods, widespread adoption of zero-emission electric vehicles would have an outsized impact on our air quality. Having cleaner air would allow me to ride my bike around my neighborhood without wearing a mask—which I currently need to protect my lungs from pervasive vehicle exhaust.

22. I also want electric vehicles to be accessible to people in my community. I want everyone, no matter where they live, to have the resources to be able to improve the quality of their life through utilization of a clean transportation system.

23. This starts with increasing rates of electric vehicle adoption overall. As electric vehicle use becomes more widespread, this will drive down cost of ownership and create a used electric vehicle market—making this transportation method more accessible to all. Because

Charlotte is one of the fastest growing cities in the United States, it has the opportunity to prioritize residents' health and wellbeing by embracing the transition to a cleaner transportation system as it grows.

24. Over the past several years, there has been momentum in Charlotte for expanding the city's electric vehicle infrastructure. Charlotte has transformed a portion of their fleet of buses, cars, and work trucks to electric, and now even has an electric fire truck.

25. I am working to make sure these resources are invested in my community, which is typically one of the last to gain access to new technology. In 2022, I helped organize an electric vehicle event and demonstration in the Historic West End Green District, where the City of Charlotte brought an electric bus, community members brought their personal electric vehicles to test out, and we discussed the benefits of clean transportation for our community.

26. The price of electric vehicles is the biggest barrier for our residents, so we look at innovative solutions to increase access. Prior to the federal funding freeze, I had been working with CleanAIRE NC to implement an electric vehicle car-sharing program, to create a program to purchase used electric vehicles from the City of Charlotte's fleet, to establish local and state government incentive programs to make EV purchases, and to create a local workforce to support this infrastructure—which will improve the economic capacity of our community as well.

27. To support these programs, we have advocated for installation of electric vehicle charging stations within the Historic West End. So far, this work has resulted in the installation of four electric vehicle stations along Beatties Ford Road, which runs through the center of my community. That number needs to increase, with more fast charging stations located close to our highways.

28. I felt like we were on the right track to build out electric vehicle charging infrastructure to improve our local air quality, serve as a clean transportation alternative for West End residents, and create jobs within our community. The indefinite suspension of federal National Electric Vehicle Infrastructure (“NEVI”) Program funding, however, has been devastating to this process. We were relying on federal money to create a national public charging network that would accelerate EV adoption, which is necessary to increase residents’ access to electric vehicles and improve community health. The freeze of NEVI Program funding put all the electric vehicle opportunities I was pursuing with CleanAIRE NC on hold. We can’t rightly encourage people to get electric cars without a sufficient charging network, and the NEVI Program would establish the national network we need.

29. The freeze of NEVI Program funding prolongs my breathing of harmful vehicle emissions, such as PM2.5, and continues to prevent me from getting outside, exercising, and enjoying nature in my hometown.

30. I have spent years pushing for widespread adoption of electric vehicles and implementation of chargers, including in my own community, to mitigate the harms of gas vehicle emissions. Because Charlotte’s Historic West End is surrounded by highways, we are directly impacted by traffic pollution. Our health, peace, vitality, and quality of life suffer as a result of poor air quality. I envision my home as a place where children and adults alike can live, work, and play outside without fear of breathing in harmful air pollution. The federal government’s freeze of NEVI Program funding undermines my ability to work towards this vision and puts my own health at risk.

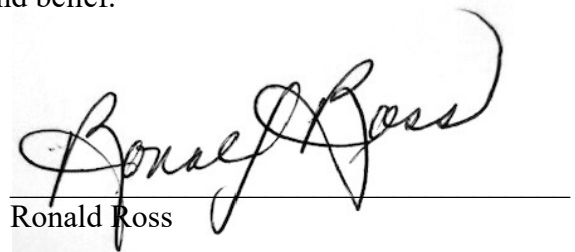
31. My harm would be addressed if the Court issues an order revoking the Federal Highway Administration’s indefinite suspension of the NEVI Program funding and directing the

agency to allow states to spend the funds to implement their existing plans to build out a nationwide charging network. This would allow me to continue my clean transportation advocacy in the Historic West End and would accelerate vehicle electrification to improve my health and the health of my neighbors.

32. CleanAIRE NC fully and adequately represents my interests in this proceeding.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 13, 2025



Ronald Ross

## **Declaration of Federico Rossi (Sierra Club)**

**DECLARATION OF FEDERICO T. ROSSI**

I, Federico T. Rossi, declare as follows:

My name is Federico Rossi. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. My primary residence is in Edina, MN 55424 where I have lived with my family for the last fifteen years.
2. I am a physician and own an independent single specialty gastrointestinal medicine practice.
3. I have asthma and occasionally use an albuterol inhaler, especially when there is air pollution, such as from wildfires or pollen.
4. I have been a member of the Sierra Club since 2016, because they champion causes dear to my heart. The number one reason I'm part of the Sierra Club is because of my concern about climate change. The Sierra Club does a lot of different things to try and address climate change, and I appreciate their emphasis on embracing the beauty of the environment, promoting trips outdoors and recreation, and as advocates for the environment and fighting climate change.
5. In the past I have been involved in some events, most notably the Line 3 tar sands Pipeline protests in Northern Minnesota in June 2021. My local Sierra Club chapter organized volunteers and members to travel to the site and protest on behalf of the people living there and their sacred lands and reservations. Sierra Club was an important part of



this movement. I have also been involved in Sierra Club's political arm, door knocking for candidates in Wisconsin.

6. In addition, I have been involved with a number of other organizations, most notably 350.org, MN350.org, the local Minnesota lobbying nonprofit Fresh Energy, and Citizens Climate Lobby (CCL). I have gone to Washington, D.C. with CCL over three years to lobby our federal officials. At one point, I drove an electric car with my daughter, who at the time was in the fifth grade, and another father and daughter from Minnesota to D.C. in 2019. We received news coverage, in particular focusing on my daughter as a youth climate activist.<sup>1</sup> Also, at my own company, a large independent single specialty practice in gastrointestinal medicine, we have been implementing sustainability measures such as "greening" our procedure rooms and installing solar panels on top of medical centers.
7. In 2014, my family switched to only driving all-electric cars. I've owned four in my lifetime, and we currently have two EVs. My main car I drive is a 2021 Hyundai Kona, and we also have a 2018 Nissan Leaf for local driving. The Kona has a 258-mile range and uses a CCS combination charger, and the Leaf uses CHAdeMO but has a CCS adapter, and has a 151-mile range. Both cars have level 2 universal charging plugs.
8. The primary reason we switched to EVs is because we want to electrify everything we use in order to reduce emissions and reduce the negative effects of climate change. But also, for other reasons: it's economical, as you spend a lot less to go each mile. Also, EVs are fun to drive.
9. We mainly charge our EVs at home. When we use chargers outside the home, I use an app called Charge Hub to plan out my trips ahead of time so I know where there will be

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<sup>1</sup> Elizabeth Dunbar, "Minnesota fifth graders, dads head to Washington to lobby on climate change," (June 7, 2019), *MPR News*, available at <https://www.mprnews.org/story/2019/06/07/minnesota-fifth-graders-dads-head-to-washington-to-lobby-on-climate-change>.

charging options, and create contingency plans in case all the chargers are occupied at a given station or if the chargers don't work there, et cetera.

10. I frequently travel on highways with my EV, as I live in the Midwest where road travel is mainly via highways. The highways I drive most on are I-35, I-94, and Highways 101 and 169. We regularly drive to Des Moines, Chicago, Lake Superior, and other further destinations. In order to do so, we have to plan in advance before we take these road trips to figure out where to stop for charging, download the specific charging apps, and create backup plans in the event that we can't access the chargers there for whatever reason. We take these longer trips about five times a year.

11. Sometimes it can be challenging to charge our EVs on highway trips. It's always a leap of faith that hopefully the chargers there will work. I've had to struggle to make sure the charger was probably working, and there's often an element of troubleshooting the charger or the plug at the station. When planning a travel itinerary for highway travel, I map out all the stops in advance, and reserve at least thirty minutes for each planned charging stop built into the expected travel time. I also do diligent research on the charging smartphone apps for each location, which involves checking the reviews for details about the charger reliability, looking at pictures, or getting any other recent important information that might impact my ability to charge there. Despite these efforts, there have been several times where the plug there was the wrong plug and I couldn't figure out how to work the charger there.

12. Over the last ten years, being an EV owner has gotten easier, and we can do more now than we could have when we first made the switch to all EVs. However, even now, there are certain places you just can't go reliably with an EV. If you want to go up to the

Boundary Waters wilderness area in Northern Minnesota, or Lutsen along Lake Superior, there is weak charging infrastructure and you'll need to take an ICE (internal combustion engine) car, not an EV, or else you might get stuck. In fact, on a trip to Lake Superior, I borrowed a friend's gas car to drive up there instead of using one of our EVs, because I was concerned about both the reliability and the availability of chargers there.

13. Once, my daughter was visiting her friend in the Western part of the state and got stranded. The EV ran out of battery and there was nowhere nearby she could go to charge, so she had to get towed to the closest charging station.
14. Currently, EV charging infrastructure is not like gas stations—but it should be. You really have to plan accordingly, and plan on spending time at each station to charge. These stations have been coming online, and more of the plugs have been becoming universal, which will make EV adoption and usage easier, but they need to become more available on the interstates and freeways when leaving your local metropolitan areas. You want to be able to have access to charging at the level of access to gas stations for gas cars. Will there be enough chargers built? Often, they're all already taken when you go to a station. These are some of my concerns about the NEVI program funding freeze.
15. I understand that the NEVI program was intended to improve and build out reliable fast charging networks for EVs along highways all over the country. I would benefit from this infrastructure because I travel on some of the highways that were supposed to have been built out including I-35 and I-94. I am concerned that because of the funding freeze states like Minnesota have been unable to advance new projects including along the Alternative Fuel Corridors I use. If the NEVI funds were unfrozen, I would benefit from more robust charging stations and I would make use of these.

16. Globally, it's clear we've crossed so many tipping points that electrification and electric transportation infrastructure to support EVs is clearly where we are heading—it's just a matter of how quickly we'll phase out combustion engines in transportation for cars, buses, trucks, et cetera. I just wish it would go faster and become as convenient as possible. I'm an early adopter of EVs but we will need to make EV adoption make sense for people, which means building out adequate charging infrastructure along our highways and transit areas.

17. I support the Sierra Club's efforts in bringing a suit to unfreeze the NEVI program funds and release billions of dollars of funding for EV charging infrastructure buildout along our highways.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on 4/10, 2025.

Gedre. Pome

## **Declaration of Mary Ann Ruiz (Sierra Club)**

**DECLARATION OF MARY ANN RUIZ**

I, Mary Ann Ruiz, declare as follows:

My name is Mary Ann Ruiz. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Chino, California. I have lived at my current residence for 36 years.
2. I have been retired for 10 years. I was a product manager at a metals distribution company.
3. Where I live has high levels of smog, it is considered a non-attainment zone for the air quality management district and has been for years. All three of my kids had asthma when they were younger. When they moved away they became healthier due to better air quality in their locations. I have an inhaler and need to use it for any physical activity. When I take a walk uphill my breathing is affected and it's due to my asthma plus the poor air quality where I live. I try to stay out of the outdoors when we have alerts for bad air quality. I receive alerts on my phone through the weather app but also I can easily tell the air quality is bad just by walking outside. I know the weather is bad especially when the air is thick and difficult to see through. I am aware that vehicles are the leading source of air pollution and greenhouse gas emissions in the US and I can see those effects greatly where I live.
4. I have been a Sierra Club member since 2000. I joined because I wanted to find people to hike with. I am very active with the state and local chapters, and the national

organization. I am a Chair of my local chapter, I am on the California state Executive Committee, I am one of the five chapter Chair Representatives to the Board for the West region. I have been an Outing Leader for the San Geronio chapter since 2003. I have been active in our work to try to minimize the impacts of the logistics industry on our air quality for the Inland Empire in southern California. I have been active with our campaigns to get more folks outdoors especially to places that are better for breathing than our inland valleys.

5. I own a 2021 Chevrolet Bolt EV. I bought this vehicle in August 2024. I have wanted to buy an electric vehicle for some time and get a vehicle that didn't add to the already bad pollution in my area. I have solar on my rooftop at home so I can charge it without adding much to my electric bill. Gas prices are very high so having an electric vehicle has helped lower my expenses. Mainly, I believe we should switch to electric vehicles to reduce our impact on both air quality and on climate.
6. My Bolt EV has over 300 miles in range with a fully charged battery. I have a Level 2, 16 Amp charger at home and it takes a full night to charge fully. I still own my old gas-powered Subaru due to lack of charging reliability and security on trips where there aren't charging stations along my route.
7. I am planning a trip to Mono Lake in June, which is about 350 one way from my home. I have family in Davis, California, about 430 miles away and would love to be able to take that drive in my EV but I need to make sure there is charging infrastructure along the way. I drive frequently on I-5 and US 395. I don't feel secure in the charging infrastructure when I drive up to Davis. I need to plan out the route and make sure there is reliable fast charging along the way. I take this trip every couple months and I have



family up there and I want to see my grandson, as well as for Sierra Club's Sacramento office. I enjoy road trips but worry about the lack of reliable and available charging stations on the highways. I usually take long road trips on I-5 in California; when going to Utah or Colorado I drive on I-15 to I-70 through Nevada. If I take an extended trip to explore Arizona I will take I-40. When I drive locally for Sierra Club events or for groceries I drive on I-10, I-15, State Route 60 and 210. I drive out to Redlands a lot and head south to San Diego, where I take I-15. I have a new great nephew that I'd like to visit. It'd be nice to be able to get to San Diego often with reliable fast charging stations. Even though I enjoy road trips, the lack of availability of reliable chargers on the highways affects how often I would drive with my EV. I'm not going to be able to take my EV on my upcoming trip to Mono Lake up I-395 because there just aren't enough charging stations. They are spread out so far that I don't feel safe in taking my EV without fear of stranding.

8. There are places in Utah that I would like to visit and I also have family in Oregon that I would frequently drive to see. However, I worry about taking these trips in my EV because of the lack of charging infrastructure on the highways. I have gone to Davis, California and Portland, Oregon a number of times in my Subaru but worry about my drives now with a full battery-electric vehicle. I want to visit Utah and Colorado but I worry about how long the drive will be without enough fast charging stations along the highways. I would like to see as many charging stations as there are gas stations. There are many gas stations every few miles and even on the long stretches of I-5, you can't go 25 miles without finding a gas station. I think it would be much better to have reliable fast charging electric chargers at every gas station.

9. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for California and other states to build EV charging stations along major highway corridors, making long distance EV travel more convenient. I am also aware that the Trump administration paused the NEVI program in February.
10. The NEVI funding program was one of the reasons I felt ready to jump to an all electric battery powered vehicle. Having this program would make me feel much more likely to use my EV on long trips. The funding freeze makes me reconsider taking trips in my EV and rather use my old gas-powered Subaru instead, which I would really not want to do since I would have high costs in gas and risk of breakdown since this car has 210,000 miles.
11. If funding for the NEVI program was unfrozen and there were charging stations along major highway corridors in California, I would feel less anxiety and more secure in taking long trips on the highway in my EV to Utah, Oregon, and Colorado.
12. I understand that the Sierra Club is bringing a suit to unfreeze the NEVI program and release billions of dollars in funding for electric vehicle charging infrastructure along major highways. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 12, 2025.



Mary Ann Ruiz

## **Declaration of Lynn Saxton (Sierra Club)**

**DECLARATION OF LYNN SAXTON**

My name is Lynn Saxton. I am over the age of 18, and I am competent to give this declaration.

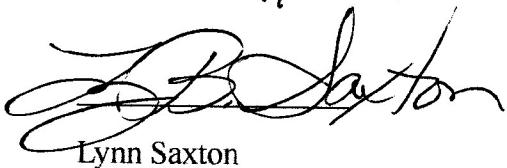
All the information herein is based on my own personal knowledge unless otherwise indicated:

1. I live at 317 Wyoming St, Warsaw, NY 14569, in the county seat of Wyoming County. I have lived in Warsaw since 1984 and moved into my current home a little over 15 years ago.
2. I have been a member of the Sierra Club since 2023. I joined the Sierra Club because I'm concerned about my grandchildren and how the world will look for them. When I was a master's student, I took a class that focused on environmentalism, where I was introduced to Al Gore and his environmental work. I have since met him and worked with his organization, the Climate Reality Project.
3. I'm the Western New York Media Team volunteer leader for the Atlantic (New York) Sierra Club chapter. I'm also an active member of the Climate Reality Project, Green Warsaw, and Third Act. I helped start two chapters of the Climate Reality Project here in New York, one of which I chair. I have also led various green initiatives in Warsaw.
4. I am a retired high school social studies teacher. As a teacher, I taught my students about the effects of climate change and had them research and debate the issue.
5. I bought a fully-electric 2022 Kia Niro EV in 2022. I only charge it to about 80% to conserve battery life and at 80% charge, it gets between 180 and 220 miles of range. I bought it because it's good for the environment and I can charge it at home, where we use solar and geothermal energy. I also appreciate how I don't pay for gas or smell gas anymore.

6. My husband and I also have a hybrid Ford Maverick and a gas-powered Chevrolet Heritage High Roof that my husband does not want to get rid of. While we prefer to drive the Niro, we aren't comfortable enough taking it on long trips, where we might not be able to find charging infrastructure available so we felt we had to buy the hybrid truck.
7. We regularly use the Niro to travel to Buffalo and Rochester on I-90, I-190, I-390, and I-490, all designated by the Federal Highway Administration (FHWA) as Alternative Fuel Corridors (AFCs). These are trips that can be done without needing to charge en route.
8. I also regularly travel to Fairhaven, Massachusetts to visit my daughter and to Arlington, Virginia, to visit my mother and sister. My mother has dementia and she's 94 so I visit her fairly frequently. I also drive to Yorktown, Virginia where I co-own a house with my cousins.
9. I would like to use my Niro for those longer trips for environmental reasons and because I enjoy driving it more than our other cars but I don't feel comfortable doing so because of the lack of charging infrastructure.
10. If the FHWA unfroze funding for the National Electric Vehicle Infrastructure (NEVI) Formula Program and more charging stations were built along AFCs in New York and neighboring states, I would be able to use my Niro to visit my daughter, sister, and mother.
11. I understand that the Sierra Club is bringing a suit to restart the NEVI program and unfreeze billions of dollars in federal funding for EV highway charging infrastructure. As an EV owner who would benefit greatly from more charging infrastructure buildout along highways in New York and nearby states, I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on 4/8, 2025.

A handwritten signature in black ink, appearing to read "Lynn Saxton", with a stylized, cursive script.

Lynn Saxton

## **Declaration of Sara Schultz (Sierra Club)**



**DECLARATION OF SARA SCHULTZ**

I, Sara Schultz, declare as follows:

My name is Sara Schultz. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

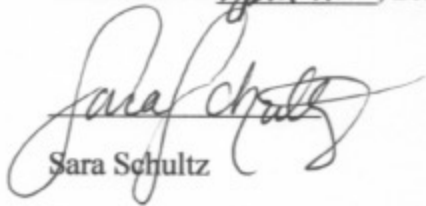
1. I live in Williamsville, NY, outside of Buffalo. I've lived at my current address since February 2013.
2. I am a retired music therapist and hospital chaplain.
3. I am a member of the Sierra Club. I joined the Sierra Club around 15 years ago after attending a lecture where Margaret Atwood told a student that the best thing they could do for the planet is to join an environmental organization. I sought out a grassroots group and started volunteering.
4. I'm on the Executive Committee for the Sierra Club Niagara Group and have been involved with different campaigns as an organizer. I'm currently advocating for an electric vehicle transition for the city of Buffalo. I've worked on other campaigns to protect climate and environmental quality in Western New York including advocating for a moratorium on fracking, challenging the Northern Access pipeline, and pushing back on the STAMP (Western New York Science & Technology Advanced Manufacturing Park) development in Genesee County.

5. I'm also an active member of the Climate Reality Project, the Climate Smart Community Taskforce for Amherst, and the Western New York Interfaith Environmental Justice Initiative. I have started a project encouraging Jewish organizations in the Buffalo area to use clean energy. My husband Steve is also active in local environmental organizations.
6. My husband and I own a 2017 Chevy Bolt and a 2024 Tesla Model Y. They are our only cars. We bought them because we are trying to make our carbon footprint as small as possible. With three children and seven grandchildren, we feel that our actions are accountable to generations to come.
7. I am in various Chevy Bolt Facebook groups. My husband, Steve, is involved with the Tesla Owners Club of New York State.
8. We use ChargePoint, Electrify America, and Tesla chargers. We have found that the non-Tesla charging infrastructure along highways is poorly developed.
9. We frequently drive our EVs on I-81 and I-95, designated by the Federal Highways Administration (FHWA) as Alternative Fuel Corridors (AFCs). We have travelled to Philadelphia to visit my sister, down to the South to go birding, and to the Catskills. These are all trips that require us to charge en route so we have often used the Tesla, because we don't trust the non-Tesla charging infrastructure.
10. I often travel to Rochester using the Bolt, on I-90 and I-490, both AFCs. I once came home from a meeting there, almost ran out of juice, and had to wait at a ridiculously slow charger in Henrietta for it to charge. It was very frustrating. Another time, I took the Bolt to the Catskills on I-81 and I-90. I had to go out of my way to charge the car in Ithaca, lengthening the trip.

11. On many occasions, I've identified chargers using ChargePoint and other apps but found that they were broken or out of order when I arrived.
12. These challenges have made me reluctant to take the Bolt on longer highway trips, instead relying on the Tesla and its private charging network.
13. Other people I know have had the same problems. My husband Steve's sister bought an electric Kia. A Tesla/NACS adapter for her car has not yet been approved. She struggled driving from Philadelphia to Buffalo and the trip took much longer than it would have taken with a gas-powered car.
14. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build high-speed electric vehicle charging stations along major highway corridors, including many of the highways that I travel on in New York.
15. I understand that the FHWA has frozen NEVI funding and New York and other states have stopped moving forward with highway charging projects that depended on the funding.
16. If the FHWA unfroze the NEVI program and more charging stations were built along key corridors in New York and neighboring states, I would use my Bolt for longer trips to other parts of New York including the Catskills, to Philadelphia, and to other states.
17. I understand that the Sierra Club is bringing a suit to unfreeze billions of dollars in federal funding for EV highway charging infrastructure from the NEVI program. As an owner of an electric vehicle who would benefit greatly from more charging infrastructure buildout along highways in New York and nearby states, I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on April 22, 2025.

  
Sara Schultz

## **Declaration of Jeff Schumann (Sierra Club)**



**DECLARATION OF JEFF SCHUMANN**

I, Jeff Schumann, declare as follows:

My name is Jeff Schumann. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion, and judgment on the matter.

1. I live in Croton-on-Hudson (10520), in Westchester County, New York. I have lived at my current residence for five years. I am a retired IT professional, and I have no plans to move.
2. I joined the Sierra Club many years ago because I was concerned about environmental issues and wanted to support the Sierra Club's efforts in protecting the environment. I have been an active member of Sierra Club's New York Chapter since January 2021, after moving from Vermont to Croton-on-Hudson, NY. Though I had been active in environmental advocacy for many years, I was inspired to become engaged with the Sierra Club after deciding to concentrate my efforts on fighting climate change, which to me is the greatest challenge and the greatest threat we face. I am an active member and co-chair of the Sierra Club's Atlantic Chapter (New York) Energy Committee, I serve on the Chapter's Legislative Committee, and I have also served as the chair of the Large-Scale Renewable Energy sub-committee. Additionally, I have worked with other groups on climate related efforts in New York, including Stop POW Crypto NY, Gas Action Committee, and Renewable Heat Now coalition.

3. I am aware that motorized vehicles are a leading source of air pollution and greenhouse gas emissions and that electric vehicles (EVs) produce no tailpipe emissions.
4. In an effort to minimize environmental impacts and reduce our greenhouse gas emissions, my wife and I purchased a 2016 Chevrolet Bolt EV in 2015, which uses a CCS plug for fast charging and has a 300-350 range in the summer and about a 230 mile range in the winter. We also own a RAV4 Prime plug-in hybrid.
5. My wife and I enjoy traveling and taking weekend trips to surrounding areas in New York, as well as Vermont, Connecticut, Massachusetts, and the Cape Cod area. We travel on I-87 and I-84 a couple of times a month, designated by the Federal Highway Administration (FHWA) as Alternative Fuel Corridors (AFCs). I use the EVgo, ChargePoint, and PlugShare networks when planning my trips in order to locate fast charging stations along the way.
6. Unfortunately, the lack of available reliable chargers on our highways affects how often and how far I am able to travel in my Chevy Bolt. For instance, my wife and I would like to take more trips to the western and northern parts of the state, such as the Finger Lakes, Buffalo, and Niagara areas, using our Chevy Bolt EV rather than our RAV4 hybrid in order to reduce our emissions and save on fuel costs. However, the lack of fast charging stations prevents us from doing so. If a more robust charging network were in place, we would be able to use our EV to explore these areas more – something we would really like to do.
7. We would also be able to use our EV to travel further south to the Pennsylvania, West Virginia, and Washington, DC areas via highways such as I-287 and I-95, if there were more fast charging stations available. As of now, we are forced to take our RAV4 Prime

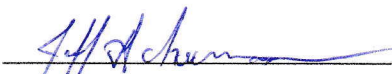


hybrid for these trips and, therefore, are unable to avoid the associated gas costs and environmental impacts of burning fossil fuels. If a robust and reliable fast charging infrastructure were available along the major highways, we would be able to avoid these costs and impacts.

8. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build high-speed electric vehicle charging stations along major highway corridors, including the highways on which I travel. I am also aware that the Trump administration has, unfortunately, suspended States' access to funding for the NEVI program as of February 2025.
9. If funding for the NEVI program were unfrozen, New York and other states would continue to build out the necessary robust and reliable network for fast charging station, which would in turn allow my wife and I more flexibility when traveling; we would be able to take longer trips, go further, and visit more places in our EV – trips we are currently hesitant to take because of the lack of fast charging available to us.
10. I understand that the Sierra Club is bringing a suit to unfreeze the NEVI program and release billions of dollars in funding for electric vehicle charging infrastructure along major highways. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on 1 May, 2025.

  
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Jeff Schumann

## **Declaration of Charles Sharpless (Sierra Club)**

**DECLARATION OF CHARLES SHARPLESS**

I, Charles Sharpless, declare as follows:

My name is Charles Sharpless. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion, and judgment on the matter.

1. I live in Philadelphia, Pennsylvania (19118). I have lived here for two and a half years. I have no plans to move.
2. I am the Assistant Director for Research at Princeton University's Andlinger Center for Energy and the Environment, where I work to develop interdisciplinary research strategies for addressing energy-related environmental challenges.
3. I joined the Sierra Club a long time ago, back when I was in my twenties, and I have been a continuous member since 2016. I joined the Sierra Club because I support its advocacy, policy, and legal work promoting energy efficiency and renewable energy, as it aligns with my long-held values.
4. Before taking my job with Princeton, I was a professor at the University of Mary Washington, in Fredericksburg, Virginia. While living in Virginia, my wife and I took part in local Sierra Club activities, including coordinating with Fossil Free Fredericksburg – a volunteer-based community group that is part of a nation-wide movement to encourage local governments to commit to 100% clean, renewable energy by 2050.

5. Having spent my career in energy-related studies, I am aware that motorized vehicles are major drivers of harmful ozone pollution and greenhouse gas emissions. In an effort to reduce my air pollution output, I purchased an electric vehicle (EV) – a 2019 Model 3 Tesla in December 2019, which has a range of approximately 240 miles. In addition to our Tesla, my wife drives a plug-in 2024 Toyota RAV4 Prime.
6. I use my EV for highway travel daily – I have an hour commute each way to work. Additionally, my wife and I regularly take trips up to the Boston area of Massachusetts, and down to the Raleigh/Durham area of North Carolina. We often travel on highways with our EV, including I-276, I-95, I-85, I-81, I-78, and I-66, which have been designated by the Federal Highway Administration (FHWA) as Alternative Fuel Corridors (AFCs).
7. Unfortunately, the current lack of availability of reliable chargers on highways affects how often and where we are able to travel in our EV. For instance, West Virginia has a lot of good camping, and my wife and I enjoy taking camping trips out to the Dolly Sods Wilderness a couple times a year. However, there are no chargers in the areas we visit. As a result, we do not get out there as much as we otherwise would.
8. Same with Pennsylvania. Unless you stick with the PA Turnpike or I-95, the EV charging network is not great. If there were a network of reliable high speed highway chargers, we would go out to central and western Pennsylvania for trips and camping.
9. The lack of availability of reliable EV chargers also affects our trips down to North Carolina. For instance, down in Durham, there are no fast chargers. As a result, we have to rely on level 2 chargers, which we have found are often broken or being used. So, it's a hassle – we end up being down at 5% battery, with not enough to get us to a fast charger

so we are forced to look around for a level 2 charger, which interferes with our travel and prolongs our drives.

10. If there were a network of reliable fast charging stations that I could use dependably, my wife and I would travel more often and explore further, more remote areas.

11. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build high-speed electric vehicle charging stations along major highway corridors, including the highways on which I travel in Pennsylvania and surrounding states. I understand that NEVI stations must meet strict reliability standards that would limit station downtime, which would alleviate my concerns about unreliable and/or out of service chargers.

12. I am aware that the Trump administration has suspended funding for the NEVI program as of February 2025.

13. If funding for the NEVI program were unfrozen, Pennsylvania and other states would continue to build out the necessary robust and reliable network for fast charging stations, alleviating my concerns about being unable to access the more remote areas of Pennsylvania and West Virginia. It would also alleviate my overall concerns with the reliability of the fast-charging network in the states through which I travel. This is especially true given the current state of Tesla and the uncertainty surrounding the company's ability to build-out and maintain its own charging infrastructure. If the NEVI chargers only had CCS plugs, I would purchase a NACS-to-CCS adapter so that I could use those plugs with my Tesla Model 3.

14. Moreover, if there were a network of reliable fast charging stations along all of the major highways, my wife and I would both drive EVs (instead of our second car being a plug-in hybrid).

15. I understand that the Sierra Club is bringing a suit to unfreeze the NEVI program and release billions of dollars in funding for electric vehicle charging infrastructure along major highways. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 8, 2025.

A handwritten signature in black ink, appearing to read "Charles Sharpless", is written over a horizontal line.

Charles Sharpless

## **Declaration of Matthew Shoaff (Sierra Club)**



**DECLARATION OF MATTHEW SHOAFF**

I, Matthew Shoaff, declare as follows:

My name is Matthew Shoaff. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I reside in Pawtucket, Rhode Island, where I have lived since 2012. I live with my wife and children.
2. I am employed as a game designer for a major toy and entertainment company.
3. I joined the Sierra Club in April 2025 because of my concerns over our environmental future.
4. I am aware that motor vehicles are a leading source of air pollution and greenhouse gas emissions and that electric vehicles (EVs) produce no tailpipe emissions.
5. I drive a 2022 Audi e-tron EV that I purchased in 2022. Its range is roughly 220 miles and has a CCS-type connector for fast charging. My wife and I wanted to go the electric route mainly for environmental reasons as well as fuel cost savings. However, the lack of reliable public chargers for our EV affects how and when we can use our Audi. As a result, we also own a conventional gas-powered Volvo XC90 that we use for long distance driving.
6. We use our Audi EV to travel locally on I-95 weekly, as well as on 495, designated by the Federal Highways Administration (FHWA) as Alternative Fuel Corridors (AFCs).

7. However, my wife and I avoid using my EV when traveling outside of our local area due to our concerns over the availability and reliability of charging options. For instance, I worry that my car will tell me there is going to be a charging station, that I will go there, but then all of the stations will be out of order or unavailable, or they won't actually be there in the first place.
8. If there were a network of reliable fast charging stations along major highways, I would be more likely to use my EV for further and longer trips. For instance, my wife and I make frequent trips to upstate New York, which is a roughly six hour drive along I-90, through Rhode Island, Massachusetts, and New York. It would be more convenient, more environmentally friendly, and less expensive if we could use our EV for those trips. However, due to our concerns over the lack of fast-charging options, we are forced to take our conventional gas-powered vehicle instead.
9. We also drive out to Michigan in the summers and would, similarly, prefer to use our EV for those trips. When we go to Michigan, we go for a couple of months. So we need transportation to get around while we are there. If there were a network of reliable fast charging stations that were more prevalent and accessible throughout the states, we would be able to make these trips with our EV and not worry about getting out there or getting around while we are there.
10. The current unreliability of the existing public EV charging infrastructure also prevents us from purchasing an additional EV as our second vehicle. Although we would like to purchase another EV in the future, because of our lack of confidence in existing fast charging options, we will probably go the hybrid route. If the public EV charging infrastructure was robust and reliable, I would be able to purchase a second EV instead.

11. I am aware that Congress created a funding program (NEVI - the National Electric Vehicle Infrastructure program) to build a robust and reliable network of fast charging stations along major transit corridors across the US.
12. I understand that implementation of the NEVI program would result in greater, more reliable, fast charging stations along highways that I drive on in Rhode Island and other states.
13. I also understand that new stations funded under the NEVI program must have an average annual uptime of 97%, not require membership for use, and that each charging port must be capable of charging any CCS-compliant vehicle and have a permanently attached CCS connector.
14. I am aware that the Trump administration suspended funding for the NEVI program as of February 2025.
15. I support the Sierra Club's efforts in bringing a suit to unfreeze the NEVI program funds and release billions of dollars of funding for EV charging infrastructure buildout along our highways.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on April 25, 2025.

A handwritten signature in black ink that reads "Matt Shoaff". The signature is stylized with a large, looping "S" and a long, sweeping underline.

Matthew Shoaff

## **Declaration of Greg Small (Climate Solutions)**

**DECLARATION OF GREGG SMALL**

I, Gregg Small, declare as follows:

1. My name is Gregg Small. I am over 18 years old and have personal knowledge of the following facts, and if called as a witness could testify competently to them.

2. I serve as the Executive Director for Climate Solutions, a regional 501(c)(3) non-profit organization focused on creating a thriving, equitable Northwest, powered by clean energy, inspiring the transition to sustainable prosperity across the nation and beyond. Our mission is to accelerate clean energy solutions to the climate crisis. As a Northwest-based clean energy economy nonprofit, Climate Solutions works to: (1) champion transformational policies and market-based innovations; (2) catalyze powerful partnerships and a diverse movement for action and accountability; and (3) communicate a bold vision for solutions at scale required by climate science. Climate Solutions is headquartered in Seattle, Washington, and maintains offices in Olympia, WA and in Portland, OR.

3. I have worked for Climate Solutions for seventeen years as the Executive Director. Prior to that I served as the Executive Director of Toxic-Free Future for seven years and as the Executive Director of the California-based Pesticide Watch for five years. During that time, I played a leadership role in creating and developing a number of leading coalitions working on environmental health issues in Washington state and nationally. I began my professional career in 1993 as an organizer for Green Corps, working in Washington, DC, Vermont, and California.

4. Climate Solutions is governed by a Board of Directors who support the organization and provide strategic, organizational, and financial oversight. We are funded entirely through charitable contributions from supporters, donors, and volunteers who support

our mission and whose goals align with ours. Our supporters include individuals, businesses, other charitable organizations, and grant-making organizations. We work closely with them to hear their priorities and align our goal and strategies with theirs where possible, as it aligns with our organization's mission. We also work closely with partner organizations with aligned goals. Climate Solutions considers itself accountable to all of our stakeholders and supporters and we have regular ongoing communication to dialogue with them.

5. For example, Climate Solutions meets frequently with a broad set of supporters and stakeholders, including community members, businesses, and local and state government officials who share our organization's goals to equitably decarbonize our economy in Washington and Oregon, and to ensure clean energy and clean transportation solutions are scaling up in a way that is accessible and affordable for residents and businesses. We hold individual and coalition-based meetings, as well as host and attend webinars, conferences, forums, and events to receive feedback from this wide variety of supporters and stakeholders on priorities, barriers, and potential solutions in pursuit of these goals. We also perform research and analysis, and form advocacy coalitions in partnership with others to achieve these goals. We have followed this approach to identify, craft, secure passage, and support implementation of policies that accelerate the adoption of electric vehicles of all kinds in Washington and Oregon, as well as other climate solutions such as heat pumps, energy efficiency, solar, wind, and other renewable energy sources, energy storage and transmission solutions, transit, and clean fuels.

6. One set of work that is very important to our supporters is our advocacy around electric vehicle charging. The transportation sector represents over a third of our climate and harmful air pollution in the Pacific Northwest—accounting for 39% of Washington's annual greenhouse gas emissions and 35% in Oregon. National experts have found, and our in-house

research as well as state-based analysis have affirmed, that shifting to zero-emission vehicles that get their power from clean energy is critical to cleaning our air and our transportation system. Achieving this vision means electrifying vehicles of all types and sizes, including but not limited to personal vehicles, medium- and heavy-duty trucks, construction and agriculture equipment, school and transit buses, and more.

7. Locally-based supporters, businesses, not-for-profit organizations, and government agencies have been asking for greater support for electric vehicles and its charging infrastructure for more than a decade. We have responded to that desire and demand from our supporters and business community, and it has been a priority for our organization for nearly a decade. Since Climate Solutions first published a report, “Why Electric Vehicles are a Climate Solution” in March 2016,<sup>1</sup> and our follow up report, “Transforming Transportation” in November 2021,<sup>2</sup> we have helped lead the push for Washington and Oregon to adopt electric vehicles and zero-emission trucks, buses, and other vehicles, and the EV charging infrastructure necessary to enable this transition.

8. We have worked on supporting the build out of EV charging infrastructure in many different ways over the years, including advocacy for supportive policies and regulation, utility structures and investments, state and local rebates and incentives, education and awareness building activities, and stronger worker standards and protections. Among other things, Climate Solutions has advocated for and helped implement EV-ready building codes, state EV rebates for new and used cars, state rebates for zero-emission trucks, buses, and other medium- and heavy-duty vehicles, local school bus and transit electrification programs, Clean Fuels standards that

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<sup>1</sup>[https://www.climatesolutions.org/sites/default/files/uploads/why\\_evs\\_are\\_a\\_climate\\_solution\\_final.pdf](https://www.climatesolutions.org/sites/default/files/uploads/why_evs_are_a_climate_solution_final.pdf)

<sup>2</sup> <https://www.climatesolutions.org/resources/reports/transforming-our-transportation>



include electric vehicle components, worker standards for EV charging, transportation electrification investment plans by investor-owned utilities, the Advanced Clean Truck rule and Advanced Clean Cars II rules, and state and utility investments in needed electric charging build out across Oregon and Washington.

9. In 2021, Climate Solutions participated in a study led by Oregon Department of Transportation (ODOT) to help understand Oregon's needs for public EV charging over the next 15 years and where the gaps are across the state: the Transportation Electrification Infrastructure Needs Analysis (TEINA study).<sup>3</sup> The TEINA study identified Oregon's urgent need to increase public EV charging infrastructure, particularly convenient, accessible charging infrastructure along travel corridors, to meet the state's goals for growth in EVs. The federal National Electric Vehicle Infrastructure (NEVI) Program provided the necessary funding for fast charging EV infrastructure along Oregon's major travel corridors to help achieve these goals.

10. Similarly, in Washington, Climate Solutions has helped shape a Transportation Electrification Strategy (TES) to ensure EVs and charging infrastructure are affordable and accessible for all Washingtonian residents and businesses.<sup>4</sup> Washington's Department of Commerce delivered the TES to the state legislature in 2024 on behalf of the Interagency EV Council. Following this interagency work plan and strategy, Washington Department of Transportation (WSDOT) wrote and submitted the Washington State Plan for EV Infrastructure Deployment as part of the federal NEVI program. NEVI provides a significant portion of Washington's investment in public charging infrastructure to achieve these goals as well.<sup>5</sup>

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<sup>3</sup> <https://www.oregon.gov/odot/Programs/Pages/TEINA.aspx>

<sup>4</sup> <https://www.commerce.wa.gov/clean-transportation/tes/>

<sup>5</sup> <https://deptofcommerce.app.box.com/s/n656epuoa9c28l8h8ekss2r6og6apvkx>

11. In my role as Executive Director, I hear all the time from our supporters, whether board members, individual donors, or business supporters, about the importance of expanding the EV charging network. A few years ago, I spent some time with colleagues at Climate Solutions listening to businesses of all sizes and across many industries to learn what they felt they needed in order to achieve even more for equitable climate action and transportation electrification. More and more businesses were saying essentially the same thing—we're committed and we want to do more, but making progress is very challenging, and we need help and want to learn from others. With that learning, Climate Solutions and four partners—the Washington Build Back Black Alliance, Clean & Prosperous Washington, The Wave Foundation, and Oregon Businesses for Climate—decided to launch the Breaking Barriers Collaborative (BBC). BBC's Fleet Decarbonization Accelerator is a hands-on, cohort-based program that equips businesses and organizations in Washington and Oregon with the knowledge, tools, and networks to create actionable fleet decarbonization plans. We have worked with over sixty different businesses, government agencies, and other organizations in the Pacific Northwest through this program.

12. I am an employee of Climate Solutions but I am also a supporter, because I care deeply about its mission and believe in its efficacy in promoting transformational change to address the climate crisis, which threatens me and my family in profound ways. I have shown this support by donating at least \$500 per year to the organization for many years.

13. Access to an adequate and reliable EV charging network is important to me personally. As an individual who is personally and professionally devoted to addressing the climate crisis, I strive to minimize the amount of climate pollution—primarily derived from combustion of fossil fuels—I produce. Since 2015, I have owned an EV. I currently own a 2021

Nissan Leaf. It has been a wonderful vehicle for me and my family to get around Seattle.


However, the lack of a built-out, well-functioning EV charging infrastructure has significantly hindered my use of the vehicle for longer trips. For example, I go back and forth from Seattle and Portland at least once per month for business and to visit my daughter who is currently in college in Portland. The fast charging infrastructure is not yet built out even along this busy corridor at a level that provides certainty that I can charge quickly and reliably. This has prevented me from using my EV for these trips often. Additionally, I believe that if there was a better EV charging network in place, more people would have purchased EVs sooner, driving down the costs of EVs and making them more affordable to others.

14. I have tracked the federal NEVI funding program closely in my professional capacity. Washington state and Oregon have embraced this funding source and have moved assertively to utilize it for building out their highway charging network. However, with the funding now frozen, those plans are in limbo and the progress towards building out a federally funded EV charging network has stalled. This directly undermines the goals of Climate Solutions and our supporters, volunteers, and partners in promoting the transition away from fossil-fuel-burning vehicles. It also personally harms me and my family.

15. Restoring the funding to NEVI, as fast as possible, will remedy this harm by allowing Washington and Oregon to resume their efforts building out a comprehensive highway EV charging network. This will in turn induce more people to make the transition from traditional vehicles to EVs, which will improve the environment, reduce the costs of EVs for others, and reduce the amount of greenhouse gas emissions and local air pollution from this region. It will also enable me to more easily and frequently take longer trips in my EV.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on 5/12, 2025.

  
\_\_\_\_\_  
Gregg Small

## **Declaration of Stephen A. Smith (SACE)**

### **DECLARATION OF STEPHEN SMITH**

I, Stephen A. Smith, under the penalty of perjury, declare as follows:

1. I am over the age of 18 and suffer no legal incapacity.
2. I am the Executive Director of the Southern Alliance for Clean Energy (“SACE”), a nonprofit, nonpartisan organization founded in 1985 and based in Knoxville, Tennessee, with staff across the Southeastern United States. I make this declaration on behalf of SACE.
3. In my capacity as Executive Director, I am responsible for all SACE operations, including education, advocacy, publications, and litigation. I have served in this capacity since 1993.
4. As Executive Director, I am familiar with the membership rolls of the organization. SACE has members in the Southeast, including Tennessee, North Carolina, South Carolina, Georgia, and Florida.
5. For 40 years, SACE has served as a leading voice for responsible and equitable energy and climate policy in the Southeast. Our organizational mission is to reduce carbon emissions and promote clean energy solutions that protect quality of life and treasured places across the region.
6. Electrifying the transportation sector—the single largest source of greenhouse gas emissions in the United States—is a central strategy in our work to address the climate crisis. SACE’s transportation electrification efforts include policy advocacy, technical planning support for government agencies, community engagement and education, and supporting regional implementation of federally funded programs focused on increasing equitable access to clean mobility.

7. For well over a decade, SACE has supported efforts to accelerate the transition to electric vehicles (EVs) in the Southeast. Since 2019, we have worked directly with state agencies to support the development of EV infrastructure plans. SACE has played a significant role in foundational planning efforts that laid the groundwork for NEVI, including serving on the advisory committees or stakeholder groups for Florida's Electric Vehicle Master Plan, Georgia's Electric Mobility Innovation Alliance, North Carolina's Clean Transportation Plan, South Carolina's EV Stakeholder Initiative, and Tennessee's Transportation Electrification Roadmap.

8. SACE assisted with the development and implementation of NEVI plans in Florida, North Carolina, and South Carolina. Our support included participating in stakeholder meetings, providing comments and analysis, and assisting in the design of charging infrastructure plans that aligned with federal guidance and increased charging access. We monitored and advised the NEVI planning processes in Georgia and Tennessee.

9. At the national level, SACE is a founding member of the National EV Charging Initiative, the CHARGE coalition (Coalition Helping America Rebuild and Go Electric) and the Alliance for Electric School Buses to support federal action to accelerate the deployment of EV charging infrastructure and school bus electrification. We have participated in federal implementation discussions, including creation of the Federal Highway Administration's NEVI guidance, and spoken at conferences hosted by the Joint Office of Energy and Transportation, AASHTO, and NASEO to ensure Southeast-specific needs are addressed.

10. SACE strategically reoriented a substantial portion of our transportation electrification work following the passage of the Bipartisan Infrastructure Law (BIL) and the Inflation Reduction Act (IRA) to support implementation of federal funding in the Southeast. We realized this was a once-in-a-lifetime opportunity to advance our mission and help ensure that



state and local governments accessed their proportional share of federal funds to benefit communities and our members across the Southeast.

11. Among other things, we launched four major programs with philanthropic and federal support specifically to assist communities and local governments in accessing and implementing this funding:

- a. Electrify the South Collaborative: Engages over 100 local governments in peer-to-peer learning and technical assistance to transition fleets, deploy charging infrastructure, and implement federal EV funding opportunities.
- b. Electric Black Futures: Supports Black communities in Albany, Atlanta, and Savannah, Georgia in developing community-led e-mobility plans that align with federal funding opportunities. This program was developed in response to limitations in the Justice40 framework, particularly the failure to incorporate community-defined definitions of “benefit.”
- c. Clean Energy for All, Y’all and Clean Energy Generation: Communications initiatives that document and share personal stories of people in the Southeast benefiting from clean energy and transportation investments. These efforts were specifically designed to help the public understand and engage with federal programs like NEVI.
- d. Electric School Bus Support Program: Provides education and technical assistance to stakeholders seeking funding under EPA’s Clean School Bus Program and other federal programs aimed at electrifying heavy-duty transportation.

12. We also provide regional ride-and-drive events to expand EV education and access, and we co-lead the Carolina Car Share initiative in Charlotte, North Carolina, which places EV car share hubs at affordable housing developments.

13. These programs were created specifically to ensure Southeastern communities—including rural, low-income, and historically underserved communities—receive proportional benefits from federal transportation electrification funding.

14. The indefinite freeze of NEVI funding is directly harming SACE in multiple ways. It jeopardizes one of our most significant accomplishments—advancing a nationwide network of reliable public fast chargers—without notice or opportunity for public input. SACE has been a key partner in the development and implementation of the NEVI program from its inception, contributing technical expertise, policy recommendations, and public engagement to support its rollout across the Southeast. The new administration’s abrupt and unilateral halt to the program harms SACE because it derails the progress we have worked for years to achieve, disrupts ongoing collaborations with state and local partners, and erodes public trust in the equitable and effective deployment of clean transportation infrastructure. It also impairs our ability to carry out our mission of advancing responsible energy choices that protect the climate and public health, especially in frontline communities that were just beginning to see the benefits of this investment.

15. The freeze undermines the very purpose of multiple programs that SACE designed and implemented to support NEVI-related investments. These programs were created with the understanding that federal funds would be reliably available for state and local implementation.

16. The freeze has prevented SACE from continuing our core work facilitating implementation of the NEVI program—because the states have halted due to the freeze—and has forced us instead to focus staff time and strategic planning capacity toward contingency planning, crisis communications, and rapid policy response. Because the scope and duration of the freeze are unclear and constantly evolving, we are repeatedly revising external communications and adjusting programmatic activities.

17. SACE has advocated for EV adoption based on the promise of a reliable and affordable public charging network enabled by NEVI. Many of our members and partners have made vehicle purchasing decisions based on that expectation and SACE’s recommendation. The freeze creates reputational harm to our organization.

18. Other members would like to drive electric vehicles but are either waiting for the charging infrastructure to be more available or waiting for cars to become more affordable. The freeze causes practical harm to our members who would like to drive electric, especially in rural areas where reliable fast charging is still sparse.

19. The Southeast is home to major charging, vehicle, and battery manufacturing investments—often referred to as the “Battery Belt.” The uncertainty caused by the freeze is already leading to paused private investment and layoffs in the charging infrastructure sector. This slows progress toward middle-class job creation in rural and underserved communities, which our programs were designed to support.

20. Without NEVI-funded infrastructure, the region cannot make the emissions reductions necessary to address the climate crisis. NEVI’s importance goes beyond simply building out a fast-charging station every 50 miles along major corridors. The program is also designed to establish strong national standards for EV infrastructure reliability, accessibility, and

affordability—requirements that are already influencing the private market. NEVI-funded charging stations must meet minimum uptime requirements, support multiple charging connectors, provide transparent pricing, and ensure safe 24/7 access. These standards are beginning to set a new floor for the industry, improving user experience and trust in EV infrastructure across both public and private networks. Without NEVI, not only is the deployment of infrastructure halted, but the widespread adoption of these standards—and the industry shift they are driving—may also stall. This risks delaying critical improvements to charger reliability and access that are essential to accelerating consumer EV adoption in the Southeast and nationwide, which in turn is critical for reducing carbon emissions from the transportation sector. Delaying or freezing NEVI deployment prevents us from achieving our organizational mission and national climate targets.

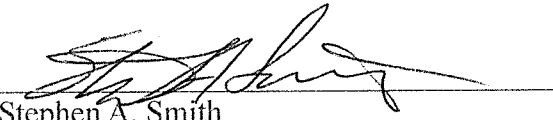
21. 2024 was the first year the Southeast began catching up to the national average in fast charger availability. Florida, Georgia, and North Carolina all moved ahead of the national average in fast charging per capita, while South Carolina and Tennessee are catching up. The public and private sector investments that have spurred this growth have done so under the assumption the NEVI funds would be there to complete the network along major highway corridors and spur investment and deployment along secondary rural corridors. This progress—built over years—is now in jeopardy. Without NEVI, it will be difficult if not impossible to regain momentum, hampering private sector, local and state efforts and our programmatic work.

22. If the NEVI funding freeze is lifted, SACE will be able to resume its programmatic work in full. The gains we have made through years of advocacy will be restored. Our staff will return to direct implementation support for local governments and communities, and our partners will regain access to infrastructure funding they have spent years preparing for.

Our members and stakeholders will regain confidence in the viability of electric transportation and the clean energy transition. Lifting the freeze would redress the reputational, member, operational, and mission-related harms described above.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 13, 2025

  
Stephen A. Smith

## **Declaration of Ann Timberlake (SACE, Sierra Club)**

### DECLARATION OF ANN TIMBERLAKE

I, Ann Timberlake, under penalty of perjury, declare as follows:

1. My name is Ann Timberlake. This declaration is based on my personal knowledge, information, and belief. I am over the age of eighteen (18) and suffer no legal incapacity. I make this declaration on behalf of the Southern Alliance for Clean Energy (“SACE”) and Sierra Club. I am a member of both organizations.

2. I currently live in the mountains of Caesar’s Head, South Carolina. Columbia, South Carolina, is my former hometown.

3. I was born and raised in the Southeast, living in Georgia, North Carolina, and South Carolina, and attended H. Sophie Newcomb Memorial College, the coordinate women’s college of Tulane University. I graduated in 1968 and returned to Columbia.

4. I have been deeply devoted to environmental causes for more than 50 years. I was involved in the beginning of the Carolinas chapter of the Sierra Club, which I have been a lifetime member of since the 1970s. I met my first husband, Ted Snyder, on a Sierra Club outing. Ted was the founding force of the Joseph LeConte Chapter, which subsequently split into separate North and South Carolina Chapters. After Ted and I married, I became a full-time Sierra Club volunteer living in Greenville, South Carolina.

5. I served as chair of the Joseph LeConte Chapter and later as a member of the South Carolina Chapter’s Executive Committee: organizing local groups, leading outings, and advocating for the designation of the Chattooga Wild & Scenic River and Congaree Swamp National Monument and the passage of the Eastern Wilderness Act of 1976.

6. I married Ben Gregg in 1981. After working a number of different jobs, I was hired by Conservation Voters of South Carolina in 2003. At the time, I was the only employee



and was responsible for getting the organization off the ground with only a \$40,000 budget. I served as the Executive Director, traveling all around the state to fundraise, advocate for the environment and help elect conservation minded public servants. At my retirement in 2016, the budget exceeded a million dollars.

7. It was during my time at Conservation Voters that I began to work on energy-related issues, initially focusing on energy efficiency and conservation. I care deeply about promoting clean energy, including clean transportation, as a key strategy for addressing pollution and climate change.

8. Through my work with Conservation Voters, I collaborated with SACE on advocating for clean-energy policies in South Carolina, especially related to educating the public about the South Carolina Public Services Commission. I also led efforts to prevent the state-owned Barnwell Low Level Nuclear Waste Site from continuing to accept radioactive waste from all over the country.

9. In 2018, I began consulting for the Energy Foundation and currently hold a contract to serve as its South Carolina State Director. Reducing carbon pollution and electrification of the transportation sector are major priorities. I work collaboratively with Energy Foundation grantees, including SACE, on clean energy policies to make electric vehicles more accessible, including advocating for South Carolina to use its National Electric Vehicle Infrastructure (“NEVI”) Program funding to site and install electric vehicle chargers along the state’s highways. Unfortunately, by the time South Carolina was ready to use its NEVI Program funding, the Federal Highway Administration had blocked states’ access to the funds.

10. I have also advocated in collaboration with SACE on bringing electric vehicle charging stations to historically disadvantaged communities and helped direct some innovative

funding to historically Black Gullah Geechee communities to address the lack of fast chargers along the coast from North Carolina to Florida. Lack of access to charging infrastructure remains a major equity concern for me.

11. In addition to advocating for clean energy solutions through my work, I am committed to setting an example in my personal choices. We installed solar panels and solar powered batteries at our house, which reduces our reliance on the power grid and provides a back-up energy source when there are grid outages.

12. I became intrigued by the idea of driving an electric vehicle about five years ago. I had enjoyed driving a Mini Cooper but it was an expensive car to maintain. So in January 2025, I asked SACE for advice on purchasing an electric vehicle because I view SACE as a trusted resource in navigating the clean energy space.

13. In early 2025 I leased a fully electric Hyundai IONIQ 5 in the color “Digital Teal.” I love driving my electric vehicle; it is quiet and clean. I live in a pristine area of the country, so this is very appealing to me.

14. My day-to-day driving is very easy. I have installed a charger at my home that I plug into overnight, and it pulls electricity from my home’s solar panels. I love the fact that I am “putting the sun” in my car.

15. For driving longer distances, however, I have experienced significant challenges. My husband and I tested the limits of my electric vehicle on a cross-country road trip when our home was threatened by wildfires.

16. My husband and I are true climate refugees. In the fall of 2024, Caesar’s Head was hit hard by hurricane Helene, and then only a few months later was impacted by wildfires. The Table Rock Fire ignited on Friday, March 21, and the Persimmon Ridge Fire ignited two

days later. We could see the Table Rock Fire from our home although the Persimmon Ridge Fire was closer and more threatening to us. Both fires were human caused and quickly intensified due to drought conditions, high winds and excessive amounts of downed wood on the ground after Helene's devastation. By Tuesday, March 25, we were ordered to evacuate our home, taking both my new electric vehicle and my husband's gas-powered car packed with belongings.

17. After making it safely to Columbia, we traveled to my sister's home on the coast and since the evacuation order had not been lifted, we decided to head to our daughter in southwest Michigan for a visit that the fires had delayed. Because traveling with our 10-month-old puppy would be easier in my car, we embarked on a route through South Carolina, North Carolina, Tennessee, Kentucky, Ohio, and Indiana with a fair amount of "range anxiety" about locating fast charging stations.

18. In preparation for the road trip, I downloaded a multitude of applications to use at different types of charging stations and worried about our ability to manage the various ways to connect and pay for power—or even find the stations. The lack of standardization in charger types and payment methods is difficult to navigate, and at my age especially (I am 78), there is a learning curve to driving a "computer."

19. Unfortunately, and despite my preparation, we experienced several complications with charging during our drive from South Carolina to Michigan. We first recharged the car in Asheville, where the charger was difficult to find and not marked in a standard way. Later, in Cincinnati, Ohio, the first charging station we found was too crowded, requiring us to find a second location at a Hyundai dealership, but we then had to ask a Hyundai employee to come outside to help us complete the payment.

20. For our last stop of the trip, we found a station that required a circuitous route off the interstate in Indianapolis, Indiana. With temperatures dropping in the 30s and no one else around to ask for help, I could not figure out how to pay for the charge so I finally called a young friend who was able to locate the exact charger and pay for my charge on his phone. (I later learned it was exorbitantly expensive.) We finally made it to our daughter's house with only a nine percent charge remaining.

21. I have an even better understanding of what the NEVI Program funding would achieve now that I have taken a long-distance road trip in my electric vehicle. Our road trip experience speaks to the critical need to have chargers that are standardized, reliable, and in clearly marked locations along highways. When I was able to find a Tesla supercharger, which is compatible with the 2025 IONIQ cars—but they were not as available as I had anticipated. This resulted in a highly stressful and long drive.

22. Additionally, because my plug is on the opposite side as a Tesla's, the Tesla charging cable doesn't easily reach my car, which requires taking up two charging spaces for it to reach. That was the problem with the crowded station in Cincinnati.

23. I am concerned that the Federal Highway Administration's indefinite freeze of NEVI Program funding will negatively impact my ability to travel with my electric vehicle. When I initially leased the car, I took comfort in knowing federal funding was in the pipeline. But the Federal Highway Administration is preventing those chargers from being built, and I have learned the hard way that charging my electric vehicle away from home is even more of a challenge than anticipated because of the lack of standardized chargers, even along interstate highways. If I knew I could find a standard and reliable fast charger every 50 miles through the NEVI Program, I would be able to travel more easily and with less worry.

24. The Federal Highway Administration's indefinite suspension of NEVI Program funding also undermines my ability to evacuate in my electric vehicle in an emergency. In the past year I have experienced two natural disasters, a hurricane and wildfires. With the onset of climate change I fear that these disasters will become worse and more frequent. Without a reliable network of highway charging infrastructure, as promised by the NEVI program, I do not feel confident about evacuating in my electric vehicle under the threat of a natural disaster.

25. I feel like I am embracing the future by driving an electric vehicle. I am an optimist and hope that electric vehicles will become widespread in the long-term future. I also hope that I will be able to drive my electric vehicle for a long time. However, the freeze of NEVI Program funding is a significant setback and may lessen the value of my car. The lack of federal money for building a network of electric vehicle charging stations leaves me uncertain about my ability to rely on my electric vehicle for travel in the near-term. For these reasons, I leased my Hyundai IONIQ 5 for two years rather than buying it outright. If I could be sure the NEVI Program would move forward as planned, I would like to keep my electric vehicle because it is more affordable to power and maintain; it is cleaner for our environment; and it is a joy to drive.

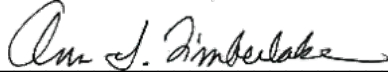
26. I have spent a significant portion of my professional career advocating for clean energy policies, and I am proud to play a role in the clean energy transition as an electric vehicle driver. My personal and professional concerns about the NEVI Program would be addressed if the Court issues an order revoking the Federal Highway Administration's indefinite suspension of the NEVI Program funding and directing the agency to allow states to spend the funds and implement their existing plans to build out a standardized and reliable charging network along our nation's highways. Building out a nationwide charging network would support the nationwide transition to electric vehicles, further my lifelong fight against climate change, and

allow me to safely and reliably take long-distance road trips or evacuate my home during an emergency in my personal electric vehicle.

27. The Southern Alliance for Clean Energy and Sierra Club fully and adequately represent my interests in this proceeding.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 12, 2025

  
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Ann Timberlake

## **Declaration of David von Seggern (Sierra Club)**



**DECLARATION OF DAVID VON SEGGERN**

I, David von Seggern, declare as follows:

My name is David von Seggern. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion, and judgment on the matter.

1. I live in Westbrook, Maine (04098). I have lived here since July 2023. I am retired and have no plans to move.
2. I am a retired earth scientist, Ph. D., emeritus at the Nevada Seismological Laboratory of the University of Nevada, Reno. My career was wholly in the field of seismology. Since retiring I have conducted many independent studies of energy and have prepared presentations on this topic to members of the Osher Lifelong Learning Institute in Nevada and Maine and to the public at large.
3. I joined the Sierra Club in 1987 because I have long been passionate about protecting our natural resources, and the Sierra Club does important work in that regard. Back when I became a Sierra Club member, the Ouachita National Forest in Oklahoma was being clear cut for timber, and the Sierra Club was fighting to stop its destruction. I wanted to be a part of that effort, and my interest in protecting our natural environment and wild places continues today.
4. I am very active with my state and local chapter of the Sierra Club. I am a Sierra Club Maine chapter volunteer, co-lead of my chapter's clean energy team, assistant outings

leader, on the Maine chapter volunteer support team, and I have also been recognized by the Maine Chapter as a Sierra Club volunteer of the year.

5. In addition to my work with the Sierra Club, I also volunteer for a couple of local trail groups, helping with trail construction, maintenance, and monitoring.
6. Having spent my career in the earth-science field as a seismologist, with major environmental and conservation work after retirement, I am aware that motorized vehicles are major drivers of harmful ozone pollution and greenhouse gas emissions. In an effort to reduce my air pollution output, as well as save money, I purchased an electric vehicle (EV) – a Chevrolet Bolt, in October 2022, which has a CCS plug for fast charging and a range of approximately 250 miles. This is my sole vehicle.
7. As someone who greatly enjoys the outdoors, I take trips throughout the year for personal enjoyment to neighboring areas of Maine, including Ellsworth, Augusta, Houlton, Lubec, and Belfast. Oftentimes, I travel on US Highway 1, designated by the Federal Highway Administration (FHWA) as an Alternative Fuel Corridor (AFC). I use EVgo and ChargePoint networks for charging and take their charging station locations along my route into consideration when planning my trips.
8. Unfortunately, I have found that the charging infrastructure along highways is poorly developed. For instance, there have been a number of times when I needed to stop to charge my EV, but there were signs that the charging stations were out of order or I found that the stations were not functioning.
9. The lack of availability of reliable EV chargers in Maine affects how often I am able to travel. It takes more effort and planning than I would like and, therefore, takes a lot of the spontaneity (which I love) out of traveling. Thus far, I have traveled mostly in the “off-


season,” and I worry that if I were to travel in the summer, the charging stations would be too busy, overloaded, or otherwise unavailable.

10. The absence of fast chargers on parts of US Highway 1 beyond Ellsworth, Maine, has also negatively affected how far I travel. I would like to explore more remote areas of Maine, but right now, I am unable to do that because there is no assurance that I will find a charging station. Even if I do, it might just be level 2 charging, which would constrict my travel and vacation time and limit my options. For instance, I have been forced to spend overnight near a charging station in order to make it to my destination.
11. Maine is a state with a lot of beautiful remote areas, but the lack of charging stations is keeping me from exploring the state in the way I want to. I formerly lived in Nevada with a conventional vehicle and could travel anywhere throughout the state. With my only vehicle here in Maine currently being an EV, I am limited with what I can do and where I can go, which is especially frustrating as an enthusiastic, outdoors-loving adventurer.
12. If there were a network of reliable fast charging stations in my state that I could use dependably, I would travel more often and explore further, more remote areas.
13. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for states to build high-speed electric vehicle charging stations along major highway corridors, including the highways that I travel on in Maine. I understand that NEVI stations must meet strict reliability standards that would limit station downtime, which would alleviate my concerns about unreliable and/or out of service chargers.
14. I am aware that the Trump administration has suspended funding for the NEVI program as of February 2025.

15. Not only am I concerned with the personal impacts to myself due to this program freeze, I am also concerned that our country's overall transition to EVs is going to be slowed significantly since EVs will continue to be unappealing to buyers due to the lack of available fast charging options.
16. If funding for the NEVI program were unfrozen, Maine and other states would continue to build out the necessary robust and reliable network for fast charging stations, alleviating my concerns about being stranded or being unable to access the more remote areas of my state. I could then travel spontaneously (like everyone else does with regular cars due to the accessibility of gas stations) and enjoy the freedom to travel any time or anywhere without issue.
17. I understand that the Sierra Club is bringing a suit to unfreeze the NEVI program and release billions of dollars in funding for electric vehicle charging infrastructure along major highways. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on April 28, 2025.

  
David von Seggern

## **Declaration of Patricia Walsh (NRDC, Sierra Club)**

**DECLARATION OF PATRICIA WALSH**

I, Patricia Walsh, declare as follows:

My name is Patricia Walsh. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Raton, New Mexico. I have lived at my current home since 2007.
2. I am a retired interpretive Park Ranger and was with the New Mexico State Parks for 17 years.
3. I am a member of the Sierra Club. I joined the Sierra Club in 2017 because I am passionate about protecting the earth and always looking for ways to support environmental action.
4. For the last two years, I have volunteered with an after-school program for fourth and fifth-grade students called Global Warming Express. The program is under the umbrella of Sierra Club's Rio Grande Chapter and is intended to help students understand climate change through activities, like field trips to state parks. This year we were able to fund a field trip to Sugarite Canyon State Park. The parkland includes the remains of an old coal mining town, and we used the opportunity to discuss fossil fuels and local history. I also work with an organization called Earth to Sky, which is a collaboration between NASA and the National Park Service that is focused in large part on climate communication.
5. I have also been a member of the Natural Resources Defense Council for many years.
6. I bought my first EV in 2018, a tiny yellow Smart Car, for two reasons: because I believe

in mitigating climate change; and because I was working for State Parks and I wanted to show local school kids the car during field trips and class programs.

7. I currently own a 2019 Hyundai Kona EV. I purchased it in the Fall of 2023. I was initially considering purchasing the Chevrolet Bolt but ended up going with the Kona because it is capable of fast charging while the base model Bolt is not. The Kona has a 250 mile range and is my only vehicle, as two months ago I sold my old gas car. It was a big step to not have a gas car backup. It is a little concerning relying only on my EV now because Raton, where I live, is in the middle of nowhere, and to travel I always have to plan to make sure that I'm going to be able to find a charger. Though I prefer not to have a gas car, there's a part of me that would keep an eye out for another 2000s model gas car, just to have as a backup, since the lack of public charging stations is a major concern for me.
8. I primarily charge the Kona in my garage, where I have a Level 2 charger. The Kona uses a CCS connector-type for fast charging. When driving on highways, I typically use ChargePoint stations for fast charging.
9. I drive on the highway roughly once a month. This past March I drove to Las Cruces, New Mexico for an Earth to Sky climate communication workshop, which is nearly 450 miles away. I also drive on the highway for a quarterly meeting that takes place usually in either Sante Fe, New Mexico, which is 175 miles away, or Albuquerque, New Mexico, which is 225 miles away. Every couple weeks I go to Walmart in Trinidad, Colorado, which is about a 40-mile roundtrip. For all of these trips I use I-25, which I understand is one of the designated highways where New Mexico is working to deploy charging with NEVI funds.



10. My drive to Las Cruces in March was the furthest I've driven in my EV. I live at the far northern end of the state and Las Cruces is the far southern end of the state, about 450 miles apart. I stopped to charge twice while driving southbound on this trip, once in the small town of Socorro, which is a few hours south of Santa Fe, and where there are just two fast chargers in the entire town that work with my car. On the way down, I was lucky because I was the only one using the charging stations in Socorro. On my return trip, I ended up charging in Socorro again, this time with a friend who was also driving his EV. We were each using one of those two fast charging stations when two more EVs pulled up that wanted to charge. One driver gave up and drove away. It's a great example of why there needs to be more publicly accessible fast chargers built out in the state, and why planning long distance trips is challenging. In addition, though the charging station in Socorro was a "fast charging" station, it took at least an hour for me to charge to 80%. I understand NEVI charging stations have minimum required power levels for charging and should be faster.
11. I have also had my vehicle vandalized by a fellow EV driver from apparent frustration over scarce charging. While attending a New Mexico Parks Advisory board meeting in Santa Fe, I plugged into the only fast charger in the State parking lot. When I returned to my vehicle after 3-4 hours, I found somebody had used a magic marker to write on the hood of my car an explicit message "F\*\*\*\*\* a\*\*hole, next time tow." They had also pulled a pin out of one of my tires and I had a flat tire. I filed a police report but nothing came of it. The next time I attended my meeting I intentionally sought out a charging location with two chargers and left a note on my car stating "Hi, I'm at a meeting, if you need something here's my number." I went out of my way to do this because I didn't

want to go through that pain again. As a woman driving by herself I have to be very conscious of these potential issues.

12. In my experience, there is a definite lack of public fast charging stations. When I travel, finding a fast charger takes significant advance planning and then luck that they are not full when you get there or that they aren't broken. I am concerned about being stranded due to the lack of highway charging and, because I live in a fairly remote area, it would take a long time to get help. I have repeatedly encountered and been inconvenienced by broken or inoperable stations. I have pulled up to charging locations where all the stations were occupied, or locations where only two of four stations were operable. I also once was forced to call ChargePoint to assist with a malfunctioning charging station touch screen. I understand NEVI charging stations will improve reliability because they are required to remain up and running, and that station operators must share data that will help me see in advance if stations are occupied.
13. The lack of fast charging also makes it difficult for me and my husband to travel when we need to fly in and out of Albuquerque, which is more than 225 miles from our home. On the occasions we've done this, I've been unable to find a hotel near the airport with charging, and instead we had to charge at a community college two miles from our hotel. We had to park the EV at the charger, walk two miles back to the hotel, and then wake up early the next morning to get to the car so that we could then leave the charged car at the hotel during our trip. This was a massive hassle.
14. Though I would like to take my EV on trips that extend beyond New Mexico and Colorado, I have not done so due to the lack of convenient and reliable charging options. We plan to visit my husband's relatives this spring in the Chicago area and we will be

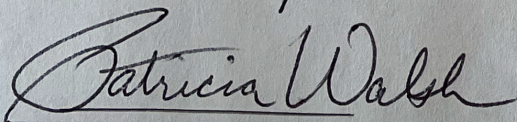


traveling by train to avoid the challenge of making such a long trip in the EV without better access to fast charging and to avoid the hassle of sorting out vehicle charging at the airport, even though flying would be cheaper.

15. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for New Mexico and other states to build EV charging stations along major highway corridors, making long distance EV travel more convenient. I am also aware that the Trump administration paused the NEVI program in February.
16. If funding for the NEVI program was unfrozen and there were charging stations along major highway corridors in New Mexico, I would be able to drive my EV without worry and still be able to visit my family in other parts of the country and travel to my monthly meetings without concern of the availability of a charging station.
17. I understand that the Sierra Club is bringing a suit to unfreeze the NEVI program and release billions of dollars in funding for electric vehicle charging infrastructure along major highways. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on 5/14, 2025.



Patricia Walsh



## **Declaration of Johanna Wermers (Sierra Club)**

**STANDING DECLARATION OF JOHANNA WERMERS**

I, Johanna Wermers, declare as follows:

My name is Johanna Wermers. I am over 18 years old. The information in this declaration is based on my personal experience and my review of publicly available information. I have personal knowledge of the following facts, and if called as a witness could testify competently to them. As to those matters which reflect an opinion, they reflect my personal experience, opinion and judgment on the matter.

1. I live in Rockville, Maryland right on the Potomac border. I have lived at my current residence for 25 years.
2. I am retired, but was a book editor.
3. My daughter, who lives with me, has asthma. We have trash burning in Montgomery county which affects our level of smog and other pollutants and I worry about my daughter's asthma. She had COVID a year ago and since then she has had long COVID. She hasn't returned to the level of lung clearance previous to the episode. With asthma and long COVID which caused lung inflammation, she's been unable to find an answer to recovery. We are within the area that is dangerous for trash burning pollution. We get high winds and wind storms that can affect our air quality. She has had attacks triggered due to environmental reasons.
4. I am a member of the Sierra Club. I became a member 30 years ago. I joined because I love nature and am interested in preserving nature and wild spaces. I am on the transportation committee of the Maryland Chapter. The transportation committee is concerned about the state's prioritization of highway widening rather than providing more walkable, bikeable communities. We have been advocating for more transit and less

highway widening. We also advocated for Maryland's adoption of Advanced Clean Cars and Advanced Clean Trucks regulations. We advocate for more charging stations and giving rebates through the state when you buy an EV, and rebates for charging at home. I am a district lobby captain for the Sierra Club when we lobby at the state legislature.

5. I also volunteer with Chesapeake Climate Action Network (CCAN), on work related to clean energy.
6. I own a plug-in hybrid Toyota Prius Prime. It has a range of 25 miles. I am considering purchasing a full battery electric vehicle within the next few years. I started off with a plug-in hybrid because when I purchased the vehicle there weren't many charging stations. Since I drive to Annapolis, 45 miles one way, several times a year, I wasn't completely comfortable with a full electric vehicle. I was hoping this NEVI program would build out additional infrastructure for charging stations for me to be more secure in purchasing a full battery EV.
7. I am interested in purchasing a full battery-electric vehicle because I would like to drive anywhere and know that I am not contributing to greenhouse gas emissions polluting the atmosphere. I know my plug-in hybrid can only go 25 miles until the engine kicks in and I begin to drive a gasoline powered vehicle. I do not like the fact that I am putting greenhouse gas emissions in the atmosphere. I much prefer to contribute positively to solving the climate crisis. I also know that EVs have a lower cost of ownership than internal combustion engine (ICE) vehicles, including much lower maintenance costs. Even with my plug-in hybrid, I rarely take my car in for service. I look forward to potentially owning an EV because it would ultimately save me money in the long run since I would not have to pay for gas which is very expensive or maintenance costs.

8. We take vacations to the Outer Banks in North Carolina and I would like to visit Maine.

In driving to North Carolina, I am aware that there have not been charging stations available on the highways unless you're driving a Tesla. I have not seen any other charging stations other than Tesla in the Outer Banks. I am also concerned about the lack of public highway fast charging stations heading north to Maine. I frequently drive on US 50 to get to Annapolis and when driving to the Outer Banks we go through multiple states and take I-270, I-495, I-95, US 60, I-64. For most of the trips my husband and I take, we'll use my Toyota Prius Prime plug-in hybrid. When I take my drive to Annapolis I haven't seen any charging stations along the highway. I end up parking in the garage at my destination which has Level 2 chargers, although they're not always accessible since they don't have many and could be occupied. Even locally when I visit the Westfield Shopping Center in Bethesda, there is no guarantee I can charge while I shop. There are only two charging stations.

9. I primarily charge at home, where I have a Level 1 charger. One of my concerns in owning a full battery EV is the fact that if I am to travel anywhere, there is a lack of fast charging availability. I wouldn't want to wait around for several hours while charging up the car. I don't want it to take hours and hours to reach my destination. Being able to charge my car quickly is essential.

10. The lack of availability of charging infrastructure on the highways absolutely affects how likely I would be to purchase an EV. If there were a network of reliable fast charging stations along the major highways I use I would be more likely to purchase an EV. It would make a huge difference, I'd have a sense that I wouldn't get stranded somewhere, or have to stay somewhere for too long to charge. I would gain confidence in long-



distance travel as well. There needs to be a build out across the entire US, I would feel confident to travel where I want without anxiety or fear. It is crucial to provide sufficient infrastructure for fast EV charging so everyone can easily make the switch to EV and cleaner transit.

11. I am aware that the National Electric Vehicle Infrastructure (NEVI) program provides funding for Maryland and other states to build EV charging stations along major highway corridors, making long distance EV travel more convenient. I've been really excited and looking forward to the implementation of the NEVI program. I was hoping I would be able to take advantage of driving a clean car that doesn't pollute. It would be a wonderful program and help EV drivers tremendously, especially having high-speed highway chargers every 50 miles on core highways along the country. EV drivers have range anxiety and EV owners are worried about not having the range to get to where they're going. As a prospective EV owner, I worry about that too.

12. I understand that the NEVI program funding was frozen by the Trump administration in February and states have largely stopped work on building out new charging stations. If the NEVI program funding resumed, it would tremendously affect my ability to purchase a fully battery EV. The NEVI program was intended to fund charging stations along major highway corridors in Maryland and surrounding states. If funding resumed, I would be able to purchase a new EV without worry, take vacations with my husband farther north and travel to meetings without concern of the availability of a charging station. Climate change is dire and as I wait to switch to an EV I am just waiting for more charging stations to be available to make that purchase.

13. I understand that the Sierra Club is bringing a suit to unfreeze the NEVI program and release billions of dollars in funding for electric vehicle charging infrastructure along major highways. I support the Sierra Club's efforts.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed on May 5, 2025.

Johanna Wermers

Johanna Wermers

## **Declaration of Sherri White-Williamson (CleanAIRE NC)**

**DECLARATION OF SHERRI WHITE-WILLIAMSON**

I, Sherri White-Williamson, under penalty of perjury, declare as follows:

1. My name is Sherri White-Williamson. This declaration is based on my personal knowledge, information, and belief. I am over the age of eighteen (18) and suffer no legal incapacity. I make this declaration on behalf of CleanAIRE NC as a member of the organization.

2. I grew up in, and have since returned to Sampson County, North Carolina, in Eastern North Carolina, where my family has lived for generations. I live in my childhood home in Clinton, North Carolina that my parents built in 1946. Sampson County is a predominantly agricultural and rural area.

3. I returned to Sampson County after a career at the United States Environmental Protection Agency (“EPA”) where I visited communities all across the country that were dealing with environmental and public health problems. I retired from EPA with the goal of addressing these problems in my home community.

4. After retiring, I decided to attend Vermont Law School where I honed my strategy to help put my ideas into action. I graduated law school in 2018 with a Juris Doctor and a Masters in Energy Regulation and Law.

5. After law school I moved back to Clinton, and in 2020, co-founded the Environmental Justice Community Action Network (“EJCAN”) with several law school classmates. EJCAN is a non-profit community-based organization in Sampson County, North Carolina. My goal with EJCAN is to give the community I grew up in the resources to address the environmental injustices they are experiencing.

6. EJCAN provides resources to communities nationwide seeking assistance in improving the environment where they live, work, and play. EJCAN serves these communities

by empowering them with the technical, scientific, legal, educational, and funding resources they need to overcome the powerful interests that stand in the way of successfully addressing the environmental problems they face. An important piece of our advocacy is ensuring that Sampson County gains access to its fair share of environmental benefits.

7. It was around the time that I co-founded EJCAN that I became a member of, and began collaborating with, CleanAIRE NC. I help plan CleanAIRE NC's annual conference and have also partnered with them to monitor Sampson County's air quality. Our goal is to collect data to demonstrate the disproportionate burden of air pollution in our community and share with decision-makers so that we may address this harm.

8. Sampson County faces numerous sources of air pollution that put the health of myself and my neighbors at risk. We live in the midst of several industrial hog farms, mostly operated by Smithfield. The closest one is only three miles from my house. The animal waste from these farms creates a pervasive smell throughout my community, preventing folks from going outside. In addition, we are home to the Sampson County Landfill, the second largest emitter of methane pollution in the United States. Two hundred and fifty trucks come to the landfill every day, idling and dispersing harmful air pollution into the community. On top of all this, there is a wood pellet mill nearby that emits dust and other air pollution.

9. As a result of all these sources of pollution, air quality is a major concern for me personally and for the Sampson County residents I serve through EJCAN. I don't want to breathe dirty air, and I don't want my friends and neighbors to breathe dirty air. Lessening the burden of air pollution in my community is one of my major priorities. Widespread adoption of electric vehicles, which emit zero pollution, aligns with my interest in cleaning up the air in my community.

10. Because Sampson County is largely rural, the only way to travel around is by personal vehicle. The distances between towns and residences are much too far to walk or bike and there is no public transportation. We rely on cars and trucks to get around and transport agricultural products. I would love to see these vehicles transition to electric.

11. Unfortunately, there is not a lot of excitement about electric vehicles in Sampson County. The cost required to buy an electric vehicle is a barrier for most of our residents, and there are very few federal incentives to help us invest in electric vehicle charging infrastructure in rural areas.

12. It is disheartening that there isn't much federal support for rural communities to participate in the clean energy transition because it would have major benefits for rural residents in terms of affordability of fueling and maintenance compared to gas cars, as well as zero tailpipe emissions. In contrast, the federal government continues to subsidize our local industrial hog and poultry farms that degrade our air quality and worsen our climate.

13. I myself have not made the transition, even though I value reducing my air emissions, and I would benefit from the fuel and cost savings, because of the limited charging options in Eastern North Carolina. Because I often have to drive long distances to take care of my daily needs, I worry I would run out of charge and get stranded. If chargers were more prevalent, and I could find an affordable vehicle, making the switch to electric would be more feasible for me. But as things stand with chargers now, driving electric is not an option for me.

14. The National Electric Vehicle Infrastructure ("NEVI") Program is really the only federal program that invests in electric vehicle charging infrastructure in rural areas. I understand North Carolina's I-40 and I-95 have been designated as Alternative Fuel Corridors for installation of fast chargers every 50 miles. My community is west of I-40 and east of I-95, so I

support North Carolina's plan to use its federal NEVI Program funds to install electric vehicle charging stations in places I visit and pass through along those routes, like Wilmington, Fayetteville, Selma, Raleigh, Rocky Mount, and Lumberton.

15. I understand before the funding freeze happened NCDOT was able to have funds obligated to build a station in Warsaw, which is on I-40 in a neighboring county, but one single station will not be enough—rural people like me have to drive far distances often. It's not practical for me to only charge in Warsaw, 13 miles from home—I would also need reliable fast chargers along the way and in places I'm going so I can get back home.

16. I also believe installation of federally-funded charging stations along I-40 would help spur development of additional charging stations off the highway as well. This would make it easier for me and members of EJCAN to make the shift to electric vehicles. It would also bring more people through Sampson County. In particular, US-421 runs through Sampson County, and is the most direct route to travel Wilmington, a popular tourist destination. If folks were able to more confidently travel by electric vehicle along US-421 to get to Wilmington, this could stimulate a tremendous amount of economic development, which is greatly needed in Sampson County. Businesses such as restaurants, hotels, and truck stops would be able to spring up around the US-421 corridor. The Sampson County population is getting older because we don't have the kind of industries that encourage young folks to stay or come back here. Newer development, stimulated by electric vehicle charging infrastructure, could help to shift that. Additionally, building up electric charging infrastructure in Sampson County and nearby counties would help stimulate our green economy, another industry that could provide job opportunities to young people—including well-paying work as electricians installing and maintaining charging stations.



This sort of investment and economic growth in our rural communities would help increase our tax base, leading to better services for me and my community.

17. The federal government's freeze of NEVI Program funding further cuts off and disincentivizes our community from being able to participate in the clean energy transition. If there were reliable NEVI chargers every 50 miles along I-40 and I-95, transitioning to an electric vehicle would be more of a viable option for me, and I would feel more comfortable telling EJCAN members to consider transitioning too. The indefinite suspension takes away a resource that I was counting on to bring clean transportation opportunities to my community.

18. The NEVI Program funding freeze also cuts off development of an important disaster response tool for Sampson County residents. Sampson County is prone to intense storms and flooding. Because there are no other forms of transportation and there is no county shelter, residents rely on their personal vehicles to get them to safety in a natural disaster. The lack of charging infrastructure along Eastern North Carolina's highways puts electric vehicle drivers in Sampson County at risk in the event that they need to evacuate due to flooding. This is another reason why I am very hesitant to buy an electric vehicle. I need to know I could charge my car in an emergency, and I have no confidence I would be able to with our current fast charging infrastructure. I would have more confidence if I could rely on knowing there would be a reliable NEVI charger every 50 miles along I-40 and I-95.

19. A key priority for my advocacy through EJCAN is to ensure Sampson County isn't left out of the allocation of government resources to improve the health and wellbeing of citizens. Because the air quality, economy, and resilience of rural communities like Sampson County stood to benefit significantly from NEVI Program funding, the freeze of this funding is a significant setback for my work. It also harms me personally because it takes away the option of


driving electric. The lack of charging infrastructure along North Carolina's highways maintains the division between rural and urban communities and harms my interest in advocating for electric vehicle infrastructure that is accessible to everyone.

20. My concerns about the NEVI Program would be addressed if the Court issues an order revoking the Federal Highway Administration's indefinite suspension of the NEVI Program funding and directing the agency to allow states to spend the funds to implement their existing plans to build out a nationwide charging network. This would enable me to continue my push for federal investment that improves air quality and supports a more vital, greener economy in Sampson County.

21. CleanAIRE NC fully and adequately represents my interests in this proceeding.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 16, 2025

  
Sherri White-Williamson

## **Declaration of Ayo Wilson (WERA)**

### DECLARATION OF AYO WILSON

I, Ayo Wilson, under penalty of perjury, declare as follows:

1. My name is Ayo Wilson. This declaration is based on my personal knowledge, information, and belief. I am over the age of eighteen (18) and suffer no legal incapacity. I make this declaration on behalf of the West End Revitalization Association (“WERA”) and CleanAIRE NC. I am a member of both.

2. I serve as Co-Director of WERA and lead our Clean Energy and Climate Justice Initiative. My parents co-founded WERA, and I have been deeply engaged in this work for many years. It has been part of my life for as long as I can remember.

3. I live in Durham, North Carolina, close to Alamance County where I grew up and now work alongside my parents and others to fight for environmental justice and equitable investment in Black and Brown communities. WERA is based in Mebane and has long advocated for infrastructure improvements in the West End and other areas excluded from basic public services due to systemic racism. My work continues that legacy by focusing on clean energy, climate adaptation, and making sure new technologies benefit the communities that have been harmed the most.

4. My job involves identifying areas that need climate resilience and environmental remediation—not only to fix environmental harm, but also to reverse the legacy of white supremacy in public infrastructure decisions. We don’t want to replicate systems of exclusion as we move toward clean energy. That’s why public investment from the National Electric Vehicle Infrastructure (“NEVI”) program is essential. It gives us a chance to bring new technology—like EV charging—into neighborhoods that were never included in the old system. This principle is core to WERA’s mission.

5. Black and Brown communities in Alamance County face the cumulative impacts of industrial pollution, highway traffic, and systemic disinvestment. We're located right along the heavily traveled I-40/I-85 corridor. Communities here were redlined out of infrastructure investment for decades. Today, they still lack sidewalks, stormwater systems, and reliable transit. At the same time, these same neighborhoods are disproportionately exposed to air pollution from trucks, trains, and industrial sites.

6. EV infrastructure developed through the NEVI program would help reduce that burden. This federal investment would accelerate the build-out of electric vehicle charging stations, reducing a major barrier to EV ownership. More people driving EVs means better air quality and lower exposure to fine particulate matter. That's a direct public health benefit for the families WERA serves that live near highways and industrial corridors, and furthers our mission to protect our community.

7. WERA is active at every level of local planning. We've met with elected officials across Alamance County, written letters to every city and county official, and participated in public meetings—most recently on a big gas station project, which threatens to bring major traffic, water, and air pollution to land with deep cultural and environmental significance. We have also conducted outreach and education around electric vehicles, climate policy, and environmental justice. We've worked with city planners, state officials, and local residents to promote access to clean transportation and workforce development opportunities tied to EV infrastructure. The NEVI program was a centerpiece of that effort, and we believed it would finally help deliver long-promised investments to communities like ours.

8. There are major employers and distribution centers in Alamance County that draw huge volumes of truck traffic. Many residents drive to work at those sites—or commute from

Alamance County to jobs in Durham, Raleigh, and Greensboro. Alamance County is a growing bedroom community for the Triad and Triangle regions of North Carolina. The NEVI program would support fast-charging stations along the I-40/I-85 corridor and near major employment centers, making it easier for residents to switch to EVs and safer for all of us to breathe.

9. The federal freeze of the NEVI program severely disrupts our work and causes direct harm to WERA. It takes away funding for infrastructure that was going directly to our community—without notice or an opportunity to weigh in. We were counting on those funds.

10. It undermines the trust we've built with our community by pulling the rug out from under projects we've been advocating for. We've told residents that help was on the way—that EV charging stations were coming, that our county is finally part of the conversation. Now, we're left having to explain a sudden, indefinite pause that was not caused by anything our community did. That damages our credibility and weakens our ability to organize around clean energy.

11. The freeze also damages our strategic planning. We have been promoting charging infrastructure for our community and contacting local officials about ensuring a just transition to clean energy. We were also exploring ways to support workforce development programs to train local residents for charging station installation and maintenance. The freeze makes those plans uncertain and undermines our ability to secure federal investment.

12. WERA isn't just interested in reducing emissions—it's also about jobs and economic inclusion. Public charging infrastructure attracts private investment, supports job creation for local electricians and contractors, and helps workforce development programs prepare students for green careers. We've begun work to determine how to partner on these

opportunities to best support the communities we serve. But without the NEVI program, we lose critical momentum—and communities like ours risk being left out of this transition once again.

13. The freeze delays tangible benefits that our communities urgently need. WERA's region has a large population of low-income renters and elderly residents, who now live in condos, townhomes, or multifamily housing—places where it's often impossible to install home chargers. NEVI promised to catalyze the kind of public infrastructure needed to make EVs realistic for these residents. Its suspension prolongs the transportation and health inequities they already face.

14. Personally, I've been unable to buy an EV because the infrastructure isn't there. I live in a condominium, and my homeowners association has not supported EV charging installation. That's a barrier shared by many in our community—people who want to reduce emissions, lower their fuel costs, or simply participate in the clean energy transition but have no viable way to charge. NEVI would help solve that by funding charging stations in accessible public locations and jumpstarting additional investment in public chargers people can use if they can't plug in at home.

15. I want to “walk the talk.” I advocate for EV access, clean transportation, and electrification in my job, and I want to model that in my life. I've looked into hybrids, but my goal is to transition fully to electric. Right now, I hold off because I've heard stories from people who ran out of charge on family trips, couldn't find a station, or had to tow their car and rent a gas vehicle. It adds stress—especially if you have kids, live in a rural area, or don't drive a Tesla and aren't sure where you can charge. These gaps are exactly what NEVI is supposed to solve. If I knew there was a more reliable charging network, like the one NEVI is meant to build, I would feel confident about buying an EV.



16. My son is getting close to driving age, and I would love for him to drive an electric vehicle too. I want him to grow up seeing how climate responsibility and community investment go hand in hand. I want him to see the work we do at WERA—what my parents built, and what we’re building now—and understand that environmental justice means creating systems that serve everyone. The NEVI program helps show that the government can create infrastructure that benefits all communities, especially those who have been underserved.

17. WERA is also deeply invested in achieving meaningful change at the state level, and the NEVI freeze jeopardizes much of the progress we’ve made over the past several years. North Carolina’s Executive Order 80 and Executive Order 246 laid out a statewide commitment to reduce greenhouse gas emissions, advance climate resilience, and ensure the transition to a clean energy economy includes historically underserved communities. These directives are important to WERA because they recognize equity and climate justice must be central to transportation and energy planning—goals that align directly with our mission. WERA has spoken at a Governor’s press conference on low- and zero-emission trucks and participated in stakeholder discussions and public comment opportunities about the NC Clean Transportation Plan and environmental justice, always emphasizing the need to center Black and Brown communities in implementation. The state is depending on the NEVI program to implement the Clean Transportation Plan by filling major charging infrastructure gaps to drive transportation electrification. Suspending that investment leaves a hole in North Carolina’s climate strategy—and in communities like mine, it risks shutting the door on clean energy access entirely, which frustrates WERA’s mission.

18. WERA has always worked to hold government accountable and push for investment that benefits everyone. Restoring the NEVI program would allow us to continue

advocating for our communities with real tools, not empty promises. We can't build a clean energy future on a foundation of inequity. We need NEVI to be part of a system that includes everyone—and that keeps its commitments to those who have waited the longest for justice.

19. A court order lifting the freeze and allowing North Carolina to move forward with its NEVI plan would redress these harms and my personal concerns by enabling WERA to resume its advocacy and secure the equitable infrastructure and federal support our community has long been denied, and allowing North Carolina to implement its NEVI plan.

20. The West End Revitalization Association and CleanAIRE NC fully and adequately represent my interests in this proceeding.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 13, 2025

  
\_\_\_\_\_  
Ayo Wilson

## **Declaration of Brenda Wilson (WERA)**

### DECLARATION OF BRENDA WILSON

I, Brenda Wilson, under penalty of perjury, declare as follows:

1. My name is Brenda Wilson. This declaration is based on my personal knowledge, information, and belief. I am over the age of eighteen (18) and suffer no legal incapacity. I make this declaration on behalf of the West End Revitalization Association (“WERA”), which I co-founded with my husband in 1994, and CleanAIRE NC. I am members of both.

2. I was born and raised in Philadelphia, but I’ve lived most of my life—37 years—in Mebane, North Carolina, where my husband’s family is from. I have spent decades serving this community, especially through WERA and my church, Melfield United Church of Christ, where I volunteer for a growing food pantry that helps meet the urgent needs of families across Alamance County, including Mebane and Burlington, and beyond.

3. Our pantry began small but has grown tremendously. I drive the church van to Food Lion multiple times each week to collect donations—meat, produce, even cleaning supplies. With help from our pastor, Rev Dr Dannie T. Williams, and grants we’ve received, we now have our own building and cold storage donated by Food Lion. Every second Saturday, and again on Wednesdays and Fridays, we distribute large boxes of food to hundreds of people. Our parking lot gets so congested we may need to ask the Sheriff’s Department to direct traffic. It’s grown because people need it—seniors on fixed incomes, families whose food stamps don’t last the week, and people who lost jobs and are trying to get back on their feet.

4. I know from my work with WERA and the church that food insecurity isn’t just about groceries—it’s about transportation, location, income, and infrastructure. It reflects the same structural gaps that make access to electric vehicle charging, clean air, and economic opportunity harder to reach in our communities. Everything is connected.

5. For example, the East side of Burlington is a food desert, with just two grocery stores—while the West side has seven. West Burlington has pharmacies, health clinics, and restaurants. East Burlington has none of that—just fast food and pollution. There are barely any sidewalks or public transportation. You can stand on the border between the East and the West, on Webb Avenue, and feel the difference. Life expectancy is 11–12 years lower in East Burlington than in the West. People here know they’ve been left behind. Whether it’s food or clean transportation, we’re dealing with the same pattern: public and private investments stop short of our neighborhoods.

6. You see these disparities not just in Burlington, but in Mebane too. In the White Level community—where many Black, Indigenous, and Latinx residents live—people still don’t have sewer connections. But just across the road, the newer Mill Creek development has full water and sewer access, along with sidewalks and other amenities. The City did a survey and confirmed the need in White Level, but they never followed up with residents after their first grant application was denied. Now those same residents are still waiting, while development continues elsewhere. It’s a clear example of how infrastructure follows privilege—and leaves others behind. That’s exactly why public investment from the National Electric Vehicle Infrastructure (“NEVI”) program must be implemented with equity at the center.

7. We live with environmental burdens too. I care deeply about the environment—not just because of what I see in our community, but because I believe we have a responsibility to take care of this earth. I see the changes all around us: animals that used to live here are gone, trees are dying, the air feels different. The storms are getting worse, year after year—tornadoes, hurricanes, floods. To me, this earth is slowly dying, and we’re not doing enough to stop it. The Lord didn’t put us here to tear it up—He meant for us to be stewards. But instead of reducing

pollution and investing in cleaner options, communities like ours pay the price. We need to do something now to cut back on the pollution—before it’s too late for our children and grandchildren.

8. One major source of harm in East Burlington is the former Western Electric Tarheel Army Missile Plant. It’s a massive, blighted Superfund site that has contaminated the surrounding area for decades. WERA has long pushed for it to be cleaned up because no one wants to invest in a place that’s polluted and neglected. We’ve seen over and over how industry and infrastructure are built near our neighborhoods—but the benefits never reach us.

9. And the Tarheel plant isn’t the only source of pollution we live with in Alamance County. It adds to a long history of cumulative environmental burdens in our community. We’re surrounded by highways, truck routes, and gas stations where tractor trailers idle all night. We have constant diesel emissions from the railroad that runs through the middle of town. And now we’re seeing even more development near our schools, churches, and playing fields—like a new gas station with 120 planned gas pumps, just a few blocks from a middle school, an elementary school, and our food pantry. It’s not just one source—it’s everything stacked together: the traffic, the fumes, the lack of trees, the old housing stock. People are breathing this in every day. WERA has been fighting this pollution for decades. Our children are growing up with asthma, our elders are at risk, and we keep being told to wait. Programs like NEVI can be a first step toward turning that around.

10. That’s why the NEVI program matters. Right now, Alamance County has almost no EV infrastructure. There are a few chargers—like the ones at Sheetz—but most are not fast enough for people traveling through, and they’re not conveniently located where our residents live and shop. The NEVI program would bring one fast-charging station to the county. That may

not sound like much, but it's a start—a catalyst for more. It's how we begin to show our residents, and our youth especially, that clean transportation includes them. That investments in the future aren't just for other zip codes.

11. The program could also bring jobs. We have a lot of residents working at ABB and other local companies that support the EV industry, including battery manufacturers and electricians. If NEVI investments stall, it affects those employers too—especially with the added pressure of new tariffs. This is about clean air and justice, but it's also about economic opportunity. Right now, low-income families struggle to afford any car, let alone an EV. But if charging infrastructure becomes more common and public incentives grow, EVs could become realistic financially for more people in our community—especially younger people and those moving into new apartments and townhomes that can't support home charging.

12. The people WERA serves in our community want to be part of the transition to clean energy—but it has to work for their daily lives. Our pastor, Rev. Williams, tried to make the switch to an electric vehicle while working in a town about an hour away. He even rented a townhouse so he could stay closer to work, but the lack of fast chargers made it too hard. His EV ran out of power more than once, and he had to be towed—twice. Eventually, he traded it in for a hybrid, just so he wouldn't get stranded. That's the reality for lots of people in Alamance County, many of whom need to travel long distances to find work. Without reliable fast chargers along the way, even those who want to make the switch can't make it work. It's not about whether people care—it's about whether the infrastructure exists to support them. Until charging stations become more frequent and accessible, folks won't buy them. WERA will keep pushing it and talking about it, but until the government starts making the investment, it's going to be harder for people to understand and trust the infrastructure they need will be there.



13. The freeze on NEVI funding caused real harm to our work at WERA. It interrupted our engagement around EVs. It made it harder to show community members that these investments were real and intended for them. It also hurt our ability to advocate for further infrastructure, workforce opportunities, and environmental clean-up in a region that's long been underserved. It hurts the people WERA serves, by denying them critical infrastructure and putting jobs at risk. In short, it delayed progress and deepened mistrust.

14. The indefinite freeze of the NEVI program sent a clear and harmful message: that clean transportation investment is optional, and that our communities can be put on hold. I worry that decision will discourage the transition to electrification, especially in places like Alamance County, where trust is already fragile and infrastructure is lacking. I am concerned it will create confusion among local leaders, slow planning, and give businesses and residents alike one more reason to believe that electric vehicles are not for them. I worry it will have a ripple effect in the industry, leading to less jobs in our county. For communities like ours, this kind of uncertainty sets us back years, and it deeply frustrates WERA's ability to carry out its mission to support members of our community and bring equitable access to infrastructure to Alamance County.

15. The air pollution in our community worries me—not just for the children and elders we serve through the pantry and at church, but for my own health too. I breathe this air every day, driving through congested roads and past truck stops, rail lines, and gas stations. If I wanted a cleaner electric vehicle, the lack of reliable charging infrastructure makes it impossible. I'm on the road often—picking up food, helping with church programs, visiting family—and I can't afford to get stuck without a place to charge. Without investment in fast, accessible chargers in places like Mebane and Burlington, people like me can't make the switch. That's a

harm too—not just to our environment, but to my ability to take part in the clean energy transition.

16. If this Court grants WERA and CleanAIRE NC the relief they request and the NEVI program moves forward, our harm—including my personal concerns—would be redressed. This federal investment would be an important step toward reducing pollution near homes and schools in Alamance County, including my own, and make sure Black, Indigenous, and Latinx residents are not again excluded from a major infrastructure transition.

17. The West End Revitalization Association and CleanAIRE NC fully and adequately represent my interests in this proceeding.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May \_\_, 2025

  
Brenda Wilson

## **Declaration of Omega Wilson (WERA)**

## DECLARATION OF OMEGA WILSON

I, Omega Wilson, under penalty of perjury, declare as follows:

1. My name is Omega Wilson. This declaration is based on my personal knowledge, information, and belief. I am over the age of eighteen (18) and suffer no legal incapacity. I make this declaration on behalf of the West End Revitalization Association (“WERA”) and CleanAIRE NC. I am a member of both.

2. WERA is a non-profit organization headquartered in Mebane, North Carolina. I cofounded WERA with my wife, Brenda, in 1994. I currently serve as a co-director of the organization with my son, Ayo, who leads our Clean Energy and Climate Justice Initiative. As co-director I’m responsible for WERA’s operations, including advocacy, outreach, partnerships, and education. I have served in this capacity since WERA’s founding.

3. WERA is a community-based organization formed out of my family’s and my neighbors’ lived experiences, and our work is deeply rooted in what we’ve seen, survived, and fought for in Alamance County.

4. I was born here in Alamance County in 1950, and spent my whole childhood here. My parents were born and raised here too. When I was growing up, Mebane was a small rural town with just a few hundred people. Most of Alamance County was farmland. Some people raised cows for milk or beef; others grew soybeans, corn, sorghum, and more. My father worked on a dairy farm. Even then, we dealt with infrastructure challenges—reliable power, water, and sewer. For example, you didn’t want to milk 100 cows and have the milk spoil because the new cooling system didn’t have enough power to run. That was just one example of how basic things like electricity could fall short. Back then, no one was thinking about solar panels or EVs, but

now they are part of what our organization fights for—adequate infrastructure for Black and Brown communities, and really for everyone.

5. I spent more than 30 years working in the insurance field, where I saw firsthand the impacts of local workplace pollution and unsafe working conditions. Many of the people I worked with were factory and lumber company workers filing claims for serious illnesses. I saw how chronic exposure to pollution led to early death and disease. It taught me that environmental justice isn't abstract—it's about life and death. And that shaped the way I approach infrastructure today.

6. In rural areas like Alamance County, we don't think about infrastructure just to keep up—we're still trying to catch up. It becomes very basic, if you think about it. Neighboring places like Guilford, Durham, Orange, and Wake counties are more modern. WERA's mission is to push our local and state governments to support growth and development here too—so that our residents have the same access to basic amenities, jobs, and technology as everyone else, and so when people stop to charge a car at a gas station or eat at a restaurant, they're not skipping over Alamance County.

7. When we moved back to Mebane from Mississippi in 1987, we were renovating an old colonial home. The wiring and power systems in the homes in our Black community were so outdated that when people got new appliances—maybe their kids sent them a new Frigidaire or washer with their first paychecks—the breakers would trip. We learned that the power lines weren't strong enough to handle modern equipment. We had to replace lines, breakers, and even some of the poles. Electricians called it “the Pony Express”—that's how far behind we were. And this wasn't just us. That was the situation across a lot of Black and Brown parts of Alamance County and statewide.

8. WERA started in 1994 after we found out from a local newspaper article that a new highway bypass was planned for the county. A neighbor traced the proposed 119-Bypass and overpass line right over our homes and churches. We went to the city for answers and got nothing. We went to NCDOT in Raleigh with no appointment. They were shocked to see us. When they pulled out the giant map, it had dozens of “X” marks—those were people’s homes that were going to be demolished. There had been no public meetings, no letters to affected property owners. Nothing.

9. So we organized. The first time NCDOT came to Mebane, local electeds refused to let the public participate. They locked us out of the building. After we made a lot of noise, the city manager finally let us in. The second meeting was scheduled for the night before Christmas Eve. It was 17 degrees outside, and we only found out about it at the last minute. But we got 45 people to come. That’s how WERA began—literally fighting to stop the elimination of our community.

10. WERA’s mission is to fight for infrastructure justice and environmental justice for historic Black and Brown communities in Alamance County. That means water, sewer, paved streets, modern power lines—but also now EV charging, clean energy, climate resilience, and fair access to public investment. Our goal is to make sure the people who built this community are not erased from its future. We do that through advocacy with local, state, and federal elected officials and staff, and by participating in public decisionmaking processes, as well as community education and organizing.

11. WERA serves a great number of Black and Brown people in our county, who are our “members” for all intents and purposes. Our board is comprised of representatives from each neighborhood we serve. We keep our people informed of local issues that affect their lives via

letters, e-mails, and quarterly newsletters. We send information to approximately 25 churches to include in their bulletins. We hold an annual dinner meeting each November for everyone to gather and reflect on the past year and preview what's to come. Because we live in the community we serve, our members are our neighbors, family, and friends. We are in constant communication with them and hear their needs and concerns—which my family and I share personally. The work we do is informed and directed by the needs of our members. We are accountable to our board and community.

12. With help from my son Ayo and others, we've written hundreds of letters to city, county, and state officials encouraging them to use new federal infrastructure funding from the Bipartisan Infrastructure Law to not just build new, but replace outdated systems. We tell them: don't just build clean energy infrastructure—bundle it with old infrastructure replacement. We also participated in the Justice 40 movement, advocating for 40 percent of the benefits of the new federal funding to go back to Black and Brown communities.

13. We've gotten responses—some elected officials and planning commission members said it was a novel idea. Cities are always looking for new federal dollars. We push them to use it to catch up, not just build out.

14. We also participate in national environmental justice conversations, including through WE ACT's EJ Leadership Forum. I'm part of their medium- and heavy-duty vehicle cohort. We talk about what it means when kids are breathing diesel exhaust from trucks and buses every day. We want electric buses, cleaner air, and equity in how clean energy investments are made. Transportation is a huge source of pollution that affects the people we serve in our community, which is surrounded by highways. WERA has been advocating to electrify all parts of the sector—from personal cars, all the way up to heavy duty trucks.



15. WERA also participated in the passage of three critical executive orders from the North Carolina governor—Executive Order 246, which set a statewide climate goal of reaching net zero carbon emissions by 2050, plus a goal for transportation electrification, and directed NCDOT to create a Clean Transportation Plan; Executive Order 271, which directed the creation of an Advanced Clean Trucks rule, to reduce pollution from medium- and heavy-duty vehicles; and Executive Order 292, aimed at advancing environmental justice. The North Carolina General Assembly took away the Governor’s authority to implement a rule for trucks, so the state’s main strategy for reducing pollution from transportation is electrification of cars. WERA participated in the creation of the Clean Transportation Plan, to advocate for equitable treatment of Black and Brown communities in the transition to clean transportation.

16. One of the most important things we do is help our community members understand what’s happening. In the ’90s, we took that messy highway map and explained what it meant—what those lines and Xs would do to our neighborhoods. Today, as Alamance County grows and more industry comes in, we’re still doing that. People don’t always know about a project until the trucks are rolling. So we go to meetings, study the maps, and explain what it means.

17. I always say: every time there’s a new technology or development, we have to translate it—to the council members and to our neighbors. What does this mean for your street, your air, your health? It takes repeating. Some folks may think it’s not for them—but it might be for their grandkids. That’s how you get people to stop and listen.

18. Mebane is one of the fastest-growing places in the state, but much of that growth has bypassed the people we serve in our historic Black and Brown communities. If you don’t have infrastructure, you can’t grow. I’ve seen this in city planning meetings—if you can’t get

approved for sewer or water, you can't build housing. But when a large, wealthy corporation like an international bakery or big housing developer wants to build here, the city finds millions of dollars to run new water and sewer lines. These companies build large facilities that may bring new jobs, but their development often deepens disparities by skipping over WERA's members who live in neighborhoods that have waited more than 150 years for basic public services.

19. This same pattern applies to EV infrastructure. It's one of the ironies of where we live: ABB, a major company that manufactures electric charging station equipment, operates right here in Mebane. The city just approved rezoning for a 40-acre battery manufacturing facility too. So we have multimillion-dollar facilities producing cutting-edge EV technology and infrastructure, but very few places in the county where you can actually use it. There are hardly even any slower Level 2 chargers here, let alone fast chargers. And for many residents, the initial cost of purchasing or leasing an EV is simply out of reach. It's like the diamond industry—people mine the diamonds, but they can't afford to wear one. That's the kind of contrast we live with.

20. And it's not just the EV sector. Big, new hospitals are planned. A mega gas station is coming. Amazon and UPS have already moved in. We're surrounded by heavy truck routes now. We've built distribution centers on old farmland and clear-cut forests. Where there used to be carbon sinks, now there's asphalt and runoff. Tractor trailers idle and pollute, and there's no modern infrastructure to manage it. Some housing developers don't even want riparian buffers—they want to use every inch of land, without regard for the long-term impact. At the same time, more affluent people are moving in, or commuting here. And while all this growth is happening, historic Black and Brown neighborhoods still can't connect to city utilities.

21. That’s the trauma we live in—watching the city invest millions in infrastructure for new subdivisions, big corporations, and incoming residents, while longtime families we serve—who paid taxes, who built this community—are left with crumbling septic systems and dirt roads. That’s what it feels like to be left behind again and again.

22. The National Electric Vehicle Infrastructure (“NEVI”) program was one of the first federal clean energy programs that actually required equitable coverage across rural counties like ours. It requires EV charging stations every 50 miles along major corridors—and because of that requirement, NCDOT identified Alamance County as a priority location. WERA views this as a chance to catch up, to bring some of the benefits of the clean energy economy here. The people we serve—including myself and my family—stood to benefit from this investment.

23. NCDOT had planned to release a request for proposals to build a station in Alamance County in February or March of this year. But those plans have been put on hold due to the new administration’s freeze of the program. We’re losing time and opportunity. And we risk being skipped over once again.

24. We saw NEVI as a real opportunity for advocacy. Our position has always been: why install new EV infrastructure in a place where the water and sewer systems are still failing—why not do both? We’ve pushed our local government to think the same way. When rezonings for new industrial development or hospitals come up, we advocate for requiring EV charging infrastructure as part of the approval process. It’s a chance to align economic growth with environmental equity.

25. Federal NEVI funds don’t just pay for chargers—they also free up local and state funds for other critical infrastructure needs. In a place like Alamance County, where we still need water, sewer, and road upgrades, that flexibility is essential. And it’s not like private companies

are investing heavily in infrastructure here on their own. Unlike some larger metro areas, we haven't seen a huge amount of private EV charging investment. Federal funds would help create the baseline infrastructure—and that, in turn, could build the demand and momentum to bring private investment and more stations that benefit everyone—myself included, not just those who can already afford the newest cars.

26. We have communities right here in Alamance County that were excluded from infrastructure for generations—first by slavery, then by redlining, and then by highway plans. I personally experienced that exclusion. Some were only partially resolved after we filed a civil rights complaint in 1999. Other people we serve are still without paved roads, sewer lines, or reliable power. When we see EV charging stations and modern energy technology going in across the region, but not in our communities, it makes the disparity even sharper. That's why this moment matters. This time, we want to be included.

27. When infrastructure is planned with equity in mind, it can heal. When it's not, it can harm. The NEVI Program, which mandates EV charging stations every 50 miles and has identified Alamance County as a key location, is so important. It ensures that the rural and historically excluded residents WERA serves—including me and my family—aren't left behind again.

28. The NEVI freeze directly frustrates WERA's mission to ensure that Black and Brown communities in Alamance County have equitable access to clean energy infrastructure. The program's suspension undermines years of local engagement and planning that WERA has facilitated to bring EV charging and related benefits to historically excluded areas. It harms our individual members directly—including me and my family—by taking away public charging infrastructure that would increase our access to clean transportation.

29. The freeze also harms WERA because the indefinite delay puts Alamance County at a competitive disadvantage. If the program's investments are permanently halted or redirected to other jurisdictions, our community—despite being identified for NEVI siting—could be passed over entirely. That would deny WERA's members access to federal infrastructure investment and reinforce patterns of exclusion. The people we serve need this need public investment now—not only to expand community access to infrastructure and clean transportation, but also to catalyze private investment and economic opportunity. The administration's actions calling out electric vehicles from day one and freezing the program on February 6 already have had a chilling effect. We are concerned that in addition to not receiving investment in the infrastructure, people we serve will lose important manufacturing jobs and tax base from the EV-related companies that have moved here.

30. The absence of NEVI-funded infrastructure also perpetuates the environmental and health burdens in our neighborhoods that WERA has been fighting for decades. The people we serve are surrounded by diesel truck routes, a diesel powered rail corridor, industrial facilities, and highways. The NEVI Program is a critical catalyst for electrifying transportation and reducing pollution that would directly benefit our members. Without federal support accelerating the transition to electric vehicles and clean transportation, our residents—especially in Black and Brown neighborhoods—will continue to suffer the health consequences of vehicle emissions.

31. I also feel these harms personally. As someone who has spent nearly my entire life in Alamance County, I have watched our community struggle to catch up, even as the world around us changes. I personally have experienced the exclusion of not having access to the same amenities as richer, whiter areas. I live in the same county where big companies are

manufacturing EV batteries and chargers, but there are still hardly any fast chargers nearby. That means I can't reasonably consider purchasing an electric vehicle because I wouldn't be able to charge it reliably. It is not an option for me without better access to chargers. I want to be part of the clean energy transition—not just for my children and grandchildren, but for myself. I want to see progress in my lifetime. I also live with the health consequences of the pollution we've been surrounded by for decades—diesel fumes from trucks, industrial emissions, and smog from highways that cut through our neighborhoods. I worry about how tailpipe pollution where I live affects the health of myself and my family. I've seen neighbors and family members struggle with asthma and respiratory issues. The freeze on the NEVI Program sends a message that once again, communities like mine and people like me will be the last to benefit—if we benefit at all. That's not just an organizational concern. It affects my life, my family, and my neighborhood.

32. A court order lifting the freeze and allowing North Carolina to move forward with its existing NEVI plan would redress these harms by enabling WERA to resume its advocacy and secure the equitable infrastructure and federal support our community has long been denied. It would also address my personal concerns.

33. WERA and CleanAIRE NC fully and adequately represent my interests in this proceeding.

*[signature page follows]*

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 13, 2025

  
Omega Wilson